City of Sammamish Planning Commission



Regular Meeting

September 6, 2017 6:30 – 8:30 pm

Location:

Planning Commission meetings are held at City Hall in Council Chambers unless otherwise posted.

Public Access:

All meetings are open to the public and include opportunities for public comment.



PLANNING COMMISSION REGULAR MEETING

September 6, 2017 6:30 – 8:30 PM **SAMMAMISH CITY HALL 801-228**TH **AVE SE**

AGENDA

Approx. start time

CALL TO ORDER 6:30 pm

ROLL CALL

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES: July 20, 2017

PUBLIC COMMENT: Non Agenda (3 minutes per person / 5 minutes if representing an organization)

NEW BUSINESS 6:45 pm

Housing Strategy Update

Work Session

Stormwater Code Updates 7:15 pm

Work Session

PUBLIC COMMENT: Agenda (7 minutes per person) 8:00 pm

ADJOURN 8:30 pm

Note: This is an opportunity for the public to address the Planning Commission. For non-agenda items, three (3) minutes are granted per person, or five (5) minutes if representing the official position of a recognized community organization. Seven (7) minutes are granted per person for agenda items.

If you are submitting written material, please supply 8 copies (7 for Planning Commission; 1 for the record). If you would like to show a video or PowerPoint, it must be submitted or emailed by 5pm the day of the meeting to Kevin Johnson at kjohnson@sammamish.us. Please be aware that Planning Commission meetings are videotaped and available to the public.

The City of Sammamish Planning Commission is appointed and is the advisory board to the City Council on the preparation and amendment of land use plans and implementing ordinances such as zoning. Planning Commissioners are selected to represent all areas of the City and as many "walks of life" as possible. The actions of the Planning Commission are not final decisions; they are in the form of recommendations to City Council who must ultimately make the final decision.

THE COMMISSION MAY ADD OR TAKE ACTIONS ON ITEMS NOT LISTED ON THIS AGENDA.

Planning Commission meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request.

Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

PLANNING COMMISSION AGENDA CALENDAR

| Date | Time | Туре | Staff | Topics |
|--------------|-----------|-----------------|--|--|
| September 7 | Cancelled | Regular Meeting | | |
| September 21 | 6:30 PM | Regular Meeting | Public Works Staff Jeff Thomas David Pyle | Public Hearing / Deliberation: Storm Water Code Updates Work Session: Overview of SMC 21.50A – Environmentally Critically Areas Regulations |
| October 5 | 6:30 PM | Regular Meeting | Jeff Thomas David Pyle | Work Session: Erosion Hazards Near Sensitive Water Bodies Overlay No-Disturbance Area Code |
| October 19 | 6:30 PM | Regular Meeting | Jeff Thomas David Pyle Ryan Harriman | Public Hearing / Deliberation: Erosion Hazards Near Sensitive Water Bodies Overlay No-Disturbance Area Code Work Session: Application of Current Density to Land Division Code |
| November 2 | 6:30 PM | Regular Meeting | Ryan Harriman Kellye Hilde David Goodman | Public Hearing / Deliberation: Application of Current Density to Land Division Code Work Session: 2018 Comprehensive Plan Amendments – Docket Requests |
| November 16 | 6:30 PM | Regular Meeting | Kellye Hilde David Goodman | Public Hearing / Deliberation: 2018 Comprehensive Plan Amendments – Docket Requests |
| December 7 | 6:30 PM | Regular Meeting | Kellye Hilde Doug McIntyre | Work Session: Overview of Town Center Sub-Area Plan and SMC 21.B – Town Center Regulations Work Session: Housing Strategy Update |
| December 21 | Cancelled | Regular Meeting | | |



801 228th Avenue SE ■ Sammamish, WA 98075 ■ phone: 425-295-0500 ■ fax: 295-295-0600 ■ web: www.sammamish.us

MINUTES OF THE MEETING

MEETING SUMMARY

Regular Bi-monthly Meeting Thursday, July 20, 2017, 6:30 pm City of Sammamish Council Chambers

COMMISSIONERS PRESENT

Roisin O'Farrell, Pos. 2 Shanna Collins, Pos. 3, Chair Larry Crandall, Pos. 4, Vice-Chair Jane Garrison, Pos. 5 Matthew Petrich, Pos. 6 Nancy Anderson, Pos. 7

COMMISSIONERS ABSENT

Eric Brooks, Pos. 1

STAFF PRESENT

Kellye Hilde, Planning Manager Doug McIntyre, Senior Planner Cheryl Paston, Deputy Director, Department of Public Works Kevin Johnson, Permit Technician

CALL TO ORDER

Chair Collins called the Sammamish Planning Commission meeting to order at 6:30 pm.

<u>APPROVAL OF AGENDA</u>: Commissioner Petrich moved to approve the agenda; seconded. Chair Collins moved to remove the second public comment following the Public Hearing. Commissioner Anderson moved to amend the agenda to change the name of the old business to "Comprehensive Plan Amendments – Environment and Conservation, Utilities, and Capital Facilities Elements" and to add a new item to discuss the Comprehensive Plan text amendment process. Chair Collins rescinds her previous motion. **Approved 6:0** The Agenda was approved as amended.

<u>APPROVAL OF THE MINUTES:</u> Commissioner Garrison moved to amend the minutes to include a statement that developers also have the option of using storm water vaults. Commissioner Petrich moved to approve; seconded – **Approved 6:0** The minutes were approved as amended.

Public Comment: Non-Agenda: (3 Min Individual / 5 Min Representative) No Non-Agenda Public Comment

Public Comment Closed

OLD BUSINESS 6:39 PM (Bookmarked Video Link)

Comprehensive Plan Amendments – Environmental and Conservation, Utilities, Capital Facilities, & Transportation Element – Public Hearing

Staff commenced presentation:

Overview:

City of Sammamish Department of Public Works – Amend the Sammamish Comprehensive Plan to be consistent with revised Storm and Surface Water Management Comprehensive Plan, Surface Water Design Manual and Sammamish Addendum, Public Works Standards, and Low Impact Development regulations, among other minor edits. The proposal will specifically amend the Environment and Conservation Element, the Utilities Element, and the Capital Facilities Element.

Commission and Staff began discussion:

Commissioner Anderson asked staff for the definition of storm water, surface water, and to clarify what is a storm water facility.

Staff responded that storm water is rain runoff where surface water is referring to lakes, streams, wetlands and each has a different form of management practice. Surface water facilities refer to retention ponds, vaults and similar constructed facilities that focus on storm water retention and detention.

Commissioner Anderson asked about the differences in the list of projects and why the total costs and timeframes do not correspond with the Transportation Improvement Projects (TIP). It was then asked why the TIP, recently passed by City Council, was not included in the amended document.

Staff responded that the changes in costs were attributable to the fact that the current Comprehensive Plan figures were from 2015 while the new numbers are from the TIP that was approved by City Council. The project list is the same however the projects are not in the same order. The list that is in the packet should be the approved project list that was approved by City Council in 2017.

Commissioner Anderson stated that the City Council just passed the 2018 – 2023 TIP and believes that it should be referenced in the Transportation Element as it is the most current plan.

Staff responded that the 2018 TIP will be presented to the Planning Commission next year.

Commissioner Anderson asked about the inconsistency associated with costs on page T-10 and that with this inconsistency as well as others, it seems that this updated proposal is not ready to move forward.

Staff responded that the City Council is currently discussing transportation issues as they also deliberate approving an amendment to the Transportation Element.

Commissioner Anderson expressed that the Planning Commission's review and recommendation should then be put on hold until City Council completes their discussion.

Staff responded that the Commission could make a recommendation to City Council that the Commissions' concerns are addressed as part of the City Council's deliberation of approving an amendment to the Transportation Element.

Commissioner Garrison requested that the stormwater facility inventory located on pages UT-10 and CF-10 include the three vaults located near Town Center.

Staff clarified that the vaults are included in the numbers for the publicly owned surface water facilities.

Commissioner Garrison asked why bullets were not used for outlining traffic facilities as it would be more consistent with the way that the facility inventories in other sections of the Capital Facilities Element.

Commissioner Garrison noted on page CF-13, that Table CF-7 indicates if a project is needed to meet level of service and whether or not there is a concurrency failure; in instances where the Table shows that the project is not needed to meet the level of service and there is no failure then why is money being spent on it?

Staff clarified that Table CF-7 on page CF-13 lists projects that are being done for a variety of reasons, including safety or better connectivity to encourage walking to schools.

Commission Opened Public Hearing - 7:25 PM

Jim Stanton – 22533 SE 47th Place Topic: Capital Facilities Plans

Paul Stickney – 504 228th AVE SE

Topic: Capital Facilities Update

Denise Steel Darnell – 2121 200th AVE

Topic: Non-Agenda Comments, Tree retention

James Eastman – Emailed in comments

Commission Closed Public Testimony - 8:01 PM

Commission began deliberation on the Comprehensive Plan Amendment to Environment and Conservation, Utilities, and Capital Facilities Elements

Vice Chair Crandall moved to recommend that the City Council adopt the Docketed 2017 Comprehensive Plan Amendment to the Environment and Conservation, Utilities, and Capital Facilities Elements as presented to the Commission, Commissioner O'Farrell seconds. Commission began deliberation.

Chair Collins moved to amend the main motion to include the transportation improvement projects list (TIP) for the 2018 – 2023 plan be included in the Capital Facilities Element, Vice Chair Crandall Seconds.

Commissioner Anderson wants the TIP in the Capital Facilities Element to be accurate and include the most updated information that has been approved by the Council.

Staff clarified that the twenty-year list or projects can be added immediately after the TIP in the Capital Facilities Element to provide the full, GMA-compliant, list of projects over a twenty-year period.

Chair Collins called to question the amendment as well as including the 20-year outlook, APPROVED 6:0

Commissioner Garrison moved to amend the Transportation Element Inventory to be bulleted, Commissioner Petrich seconds. **APPROVED 6:0**

Chair Collins called to question the main motion as amended. APPROVED 6:0

NEW BUSINESS 8:13 PM (Bookmarked Video Link)

Comprehensive Plan Text Amendment Process – Discussion

Commission asked for staff to explain the process for text amendments and also asked why current documents cannot be added to keep the Comprehensive Plan up to date.

Staff responded that the Comprehensive Plan is a policy document to help guide the City towards where it wants to be and its inherent complex nature creates problems with annual amendments that the City is currently trying to review and adopt. It is almost impossible to keep the plan constantly up to date and that is why the Growth Management Act requires that every eight years there is a full update of the plan. The annual process is used for more minor updates.

Staff asked for the Commission to please send any comments they have on how the process could be improved for the year to come so that both staff and Commission are able to work though the topics smoothly and on the same page.

Vice Chair Crandall moved to extend the meeting from 8:30 PM to 8:40 PM, Seconded, APPROVED 6:0

Chair Collins asked staff for clarification on how much can really be changed when these amendments are brought to the Commission.

Staff clarified that these questions will be addressed in the upcoming 2018 Docket, including more specific attention given toward what the proposals are and what the Commission should be reviewing and revising.

Commissioner Petrich asked what is the role of the Commission and is it their responsibility to be editors. Commissioner Petrich asked that the Commission should be focusing on specific amendments and not so much on grammar and numerological discrepancies.

Staff responded that the past few items reviewed by the Commission have been very distinct in comparison to the other work items that the Commission handles on a more regular basis.

Commissioner Anderson moved to extend the meeting to 8:45 PM, seconded, APPROVED 6:0

Commissioner Anderson stated that the Comprehensive Plan does not have to be so confusing and that annual amendments should be straightforward, predictable, and supported by source documents. There seems to be a lot of detail that most other cities' Comprehensive Plans do not include.

Staff responded that they agree that the Comprehensive Plan is too specific and that does create confusion as some of the data is constantly becoming outdated.

Commission Garrison asked where they would go to see the process for amending the Comprehensive Plan?

Staff responded that the process is in Title 24 of the <u>Sammamish Municipal Code</u> and that September 30th is the annual deadline for applications.

Public Comment: Agenda: (7 Min) – 8:46 PM

No Agenda Public Comment

Public Comment Closed

Motion to Adjourn: Vice Chair Crandall motioned to adjourn; seconded. Approved 6:0

Meeting adjourned at 8:48 pm.

Chair: Shanna Collins

PC Coordinator: Kevin Johnson Video Audio Record 7/20/17

Roberts Rules of Order applied: [RONR (10^{TH} ed.), p. 451, 1. 25-28]



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PLANNING COMMISSION AGENDA ITEM

| PLANNING COMMISSION AGENDA HEM |
|---|
| September 6, 2017 |
| SUBJECT |
| Kick-off of the Sammamish Housing Strategy Plan Update |
| STAFF CONTACTS |
| Doug McIntyre, AICP, Senior Planner, Community Development 425-295-0528, dmcintyre@sammamish.us |
| Arthur Sullivan, Program Manager, ARCH 425-861-3676, asullivan@bellevuewa.gov |
| Mike Stanger, Associate Planner, ARCH 425-861-3676, mstanger@bellevuewa.gov |
| DIRECTION NEEDED FROM PLANNING COMMISSION |
| ☐ Action |
| □ Discussion □ |
| ☐ Information |

SUMMARY STATEMENT

The City of Sammamish adopted an amended Housing Element of the Comprehensive Plan in December 2016 (originally adopted in October 2015). One of the policies in the Housing Element (Exhibit 1) is to develop a Housing Strategy Plan to implement the goals and policies in the Comprehensive Plan. The City's current Housing Strategy Plan was adopted in 2006 (Exhibit 2). The purpose of the Housing Strategy Plan is to identify a wide variety of tasks that the City might undertake over time to implement the current Housing Element goals and policies.

The intent of the kick-off meeting is to provide the context for the Housing Strategy Plan update. City and ARCH staff will present information to help guide the Commission's discussion.

PROCESS AND BACKGROUND

The City of Sammamish's Housing Strategy Plan has not been updated since 2006. An updated Housing Strategy Plan is needed to help the City implement the policies it adopted as part of the Housing Element of the Comprehensive Plan in 2015, later amended in 2016 to respond to a GMA compliance challenge. Policy H.6.1 of the Housing Element instructs the City to "Adopt a Housing Strategy Plan to outline benchmarks, steps, and milestones toward implementation of this Housing Element."

The purpose and objective of a Housing Strategy Plan is to guide the implementation of the goals and policies adopted in the Housing Element of the Comprehensive Plan. The Housing Strategy Plan serves as a work plan that helps staff transform policies into actions and determine priorities and preferred strategies. The Plan should be clear, concise, and easy for the public to understand.

City staff are working in coordination with A Regional Coalition on Housing (ARCH) staff in preparing for the Housing Strategy Plan planning process. The Planning Commission and City Council will have the opportunity to provide substantive input and direction to staff. There will be ample opportunity for public input to further inform the Housing Strategy Plan. Obtaining a better understanding of the broad housing needs of the community will increase the chances that the implementation of the Housing Strategy Plan will be successful.

Generally, there will be three phases in the development of the Housing Strategy Plan, which will include the assessment of the existing plan and the definition of the scope of work for the update, public engagement and outreach, and the development of the draft and final Plan. Some overlap will occur between the three phases to ensure that the overall timeframe of the update effort does not exceed approximately twelve months.

The City's Housing Strategy Plan will be consistent with the City's Comprehensive Plan, the King County Countywide Planning Policies, and the Washington State Growth Management Act (GMA). One approach that will be taken is to complement some of the City's broader goals and visions that affect housing, such as traffic and neighborhood character.

In developing a Housing Strategy Plan, the Planning Commission should consider the City's role in housing and the strategies and tools that can be used to address housing on a City-wide basis (Exhibit 3). Furthermore, the local context of housing in Sammamish and the local housing needs should set the framework within which the City develops its housing strategies. The City does not need to start from scratch on this issue, as the 2006 Housing Strategy Plan has been implemented over the previous eleven years and much progress has been made (Exhibit 2 and Exhibit 4). However, many challenges still exist that hinder the City from achieving the full implementation of a successful Housing Strategy. Such challenges include the evolution of the regional housing market, changing preferences amongst younger generations who are entering the housing market, and many more.

NEXT STEPS

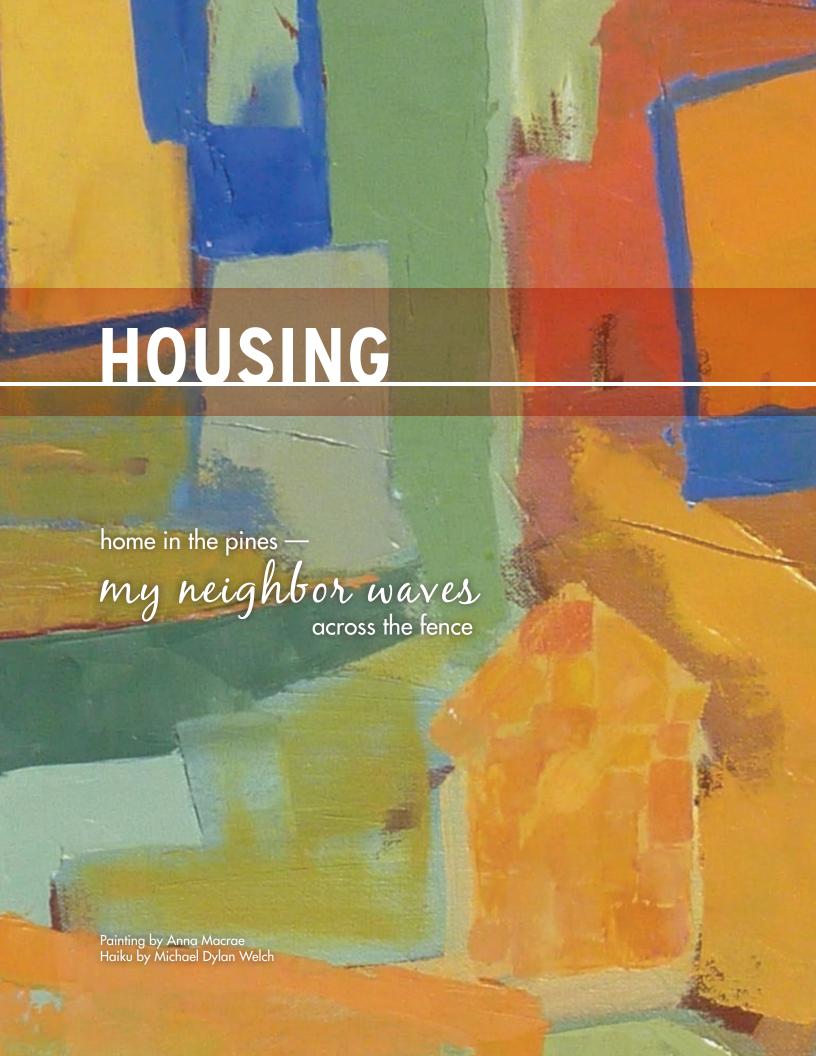
The Planning Commission will hold a discussion on the Housing Strategy Plan on September 6, 2017. The next opportunity to discuss the Housing Strategy Plan is anticipated to occur on December 7, 2017. The next meeting will again be focused on the foundation and policy framework within which the Housing Strategy Plan will be updated. Additional details will be provided with regard to the schedule for accomplishing this update and the major milestones in the process. Beginning in 2018, the City will embark on the full update of the Housing Strategy Plan, including public engagement and substantive review. The planning process is expected to take a total of approximately twelve months, with adoption of the updated Housing Strategy Plan expected toward the end of 2018.

RECOMMENDATION

No action is required on this agenda item. Staff requests that the Planning Commission discuss the Housing Element of the Sammamish Comprehensive Plan and the 2006 Housing Strategy Plan to gain a better understanding of the policy framework that will guide the update of the Housing Strategy Plan.

EXHIBITS

- 1. Sammamish Comprehensive Plan Housing Element
- 2. Adopted 2006 Sammamish Housing Strategy Plan
- 3. East King County Local Housing Strategies
- 4. Previous City Housing Efforts



Housing Goals

Goal H.1 Neighborhood Vitality and Character

Promote safe, attractive, and vibrant residential and mixed-use neighborhoods. Encourage housing design that is sensitive to quality, design, and intensity within neighborhoods and with surrounding land uses. Land use policies and regulations should emphasize compatibility with existing neighborhood character. In areas where the existing character is in transition, new development should be designed to incorporate the qualities of well-designed neighborhoods.

Goal H.2 Housing Supply and Variety

Ensure that Sammamish has a sufficient quantity and variety of housing to meet projected needs, preferences, and growth of the community.

Goal H.3 Housing Affordability

Provide for a range of housing opportunities to address the needs of all economic segments of the community.

Goal H.4 Housing for People with Special Needs

Support a variety of housing opportunities to serve those with special needs.

Goal H.5 Regional Collaboration

Actively participate and coordinate with other agencies in efforts to meet regional housing needs.

Goal H.6 Monitoring

Implement Housing Element goals in a manner that is effective, efficient and transparent.



Introduction

The Housing Element addresses the preservation, improvement, and development of housing, identifies land to accommodate different housing types, and makes provisions for the existing and projected housing needs of all economic segments of the community. Sammamish's housing element ensures that there will be enough housing to accommodate expected growth in the city, and the variety of housing necessary to accommodate a range of income levels, ages and special needs. At the same time, the element seeks to preserve existing neighborhood character by including policies that will keep new development compatible.

The Housing Element is supported by a housing needs analysis, which quantifies existing and projected housing needs and identifies the number of housing units necessary to accommodate projected growth. This analysis prompts the City to consider what current and future residents will need, and this in turn informs policies that shape the zoning and development standards in place today and planned for the future. This is an element in which multiple interests need to be balanced, including community character, demographic characteristics, affordability, and others. This analysis is contained in the Housing Element Background Information. Specifically, the



Lancaster Ridge



Multifamily housing

Housing Element Background Information contains the East King County Housing Needs Analysis, beginning on page H.3, prepared by ARCH (A Regional Coalition for Housing), in collaboration with the participating cities. The Housing Needs Analysis, dated January 27, 2015, includes a review of demographics, household characteristics, housing supply and summary findings for both the East King County area and the City of Sammamish. The Housing Element Background Information also includes the February 2, 2006 Planning Commission Recommended Draft City of Sammamish Housing Strategy Plan, which identifies recommended actions to implement the Housing Element of the 2003 Comprehensive Plan.

To accomplish aims of this Element, the City will develop a shorter range Strategy Plan that lists potential strategies to implement various goals and policies and their relative priority for consideration. In addition, the results of activities undertaken through the Strategy Plan will facilitate performance monitoring, evaluation, and future planning updates.

Goals and policies that support housing sustainability and healthy communities address energy efficiency.



Please look for this icon for goals and policies that focus specifically on sustainability and healthy communities.

Goals and Policies



Neighborhood Vitality and Character

Promote safe, attractive, and vibrant residential and mixed-use neighborhoods. Encourage housing design that is sensitive to quality, design, and intensity within neighborhoods and with surrounding land uses. Land use policies and regulations should emphasize compatibility with existing neighborhood character. In areas where the existing character is in transition, new development should be designed to incorporate the qualities of well-designed neighborhoods.



Single family homes

Townhomes

Policy H.1.1

Ensure new development and redevelopment is sensitive to the context of existing and planned neighborhood character.

- Policy H.1.2 Support investment in existing neighborhoods and housing in order to preserve the character and condition of neighborhoods and housing.
- Policy H.1.3 Support the preservation of the city's historically significant housing.
- Policy H.1.4 Provide notification and foster public awareness and participation in decisions affecting neighborhoods.

Goal H.2 Housing Supply and Variety

Ensure that Sammamish has a sufficient quantity and variety of housing to meet projected needs, preferences, and growth of the community.

- Policy H.2.1 Maintain an adequate supply of appropriately zoned land to accommodate the city's housing growth targets.
- Policy H.2.2 Support a variety of residential densities and housing types to meet the needs and preferences of all Sammamish residents.
- Policy H.2.3 Consider the impacts on citywide housing capacity and diversity when making land use policy decisions or code amendments.
- Policy H.2.4 Support residential and mixed use development in Town Center and other commercial areas where combining such uses would promote the vitality and economic viability of the area.
- Policy H.2.5 Permit and promote smaller housing types (e.g. cottages, duplexes, efficiency studios, and townhouses).
- Policy H.2.6 Promote the development of accessory dwelling units (ADUs).
- Policy H.2.7 Permit manufactured homes in residential zones in accordance with the provisions of state and federal law.

Based on the assumptions described in the Land Use Element, the City has development capacity to meet the adopted 2035 targets of 4,640 houses and 2,088 jobs.



Multifamily housing



Neighborhood within easy walking distance of Eastlake High School, local transit and Sammamish Highlands

Urban infill is defined as new development that is sited on vacant or undeveloped land within an existing community, and that is enclosed by other types of development. The term "urban infill" itself implies that existing land is mostly built-out and what is being built is in effect "filling in" the gaps. The term most commonly refers to building single-family homes in existing neighborhoods but may also be used to describe new development in commercial, office or mixed-use areas.

Fair Housing is the ability for all people to choose where they live without discrimination based on race, color, national origin, sex, family status, or disability—these are the "protected classes" under state and federal law. (Some places also protect age, sexual orientation, or having a Section 8 voucher). Cities may not make zoning or land use decisions or implement policies that exclude or otherwise discriminate against protected persons, including individuals with disabilities. Sammamish's fair housing practices are evaluated periodically by King County as part of a countywide report to the federal government.

Location-efficient Housing refers to homes that have easy or inexpensive access to workplaces, schools, shopping, and other necessary destinations. Housing locations are efficient to the most people when the ways to these destinations are easily walkable, don't require the resident to own an automobile, and can be reached in 20 minutes or less.

Policy H.2.8 Avoid creating regulations and procedures that discourage the housing industry's ability to respond to market needs or unnecessarily increase the costs of developing housing.

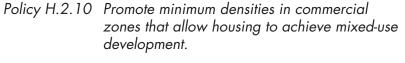


Policy H.2.9

Permit context-sensitive residential clustering, where appropriate, as a means of protecting environmentally sensitive areas and providing more open space.



New housing development under construction



Policy H.2.11 Ensure fair and legal housing practices throughout the city.

Policy H.2.12 Promote location-efficient and energy-efficient housing choices through incentives and other means.

Goal H.3 Housing Affordability

Provide for a range of housing opportunities to address the needs of all economic segments of the community.

- Policy H.3.1 Develop and implement plans and strategies that promote a proportionate amount of the countywide need for housing affordable to households with moderate, low and very low incomes, including those with special needs.
- Policy H.3.2 Promote the preservation of existing housing which may provide for affordable forms of rental and ownership housing.
- Policy H.3.3 Consider requiring or incentivizing affordable housing when evaluating rezones and other land use regulation modifications, especially when resulting in increases in development capacity.
- Policy H.3.4 Offer regulatory incentives such as priority processing of permits, fee waivers or reductions, and/or property tax relief for builders who provide very low-, low- or moderate-income housing or buildings/developers providing housing for demographics needs, such as seniors, singles and two person households.
- Policy H.3.5 Consider offering financial aid and/or technical assistance to organizations that provide affordable housing for very low-, low- and moderate-income households.
- Policy H.3.6 Encourage and support non-profit agencies, publicprivate partnerships, and housing authorities to preserve or build new, sustainable housing affordable to very low-, low- and moderate-income households.

Given the unique challenges of providing housing affordable to households at less than 30% AMI (very low-income), local efforts will require collaboration with other jurisdictions and funders.



Multifamily housing



Single family homes



Multifamily housing



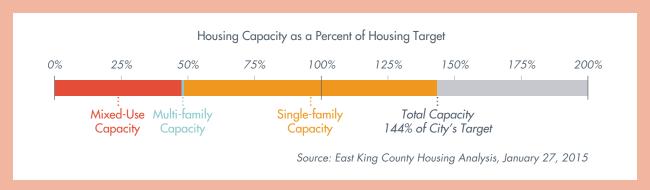
Low-density development

Area Median Income (AMI)

Housing Affordability

Growth Management Act Context

Comprehensive Plan Requirements. The Growth Management Act requires that comprehensive plan housing elements contain an inventory and analysis of projected housing needs to manage projected growth, provide a statement of goals and policies for the preservation, improvement and development of housing, identify sufficient land for housing, and make adequate provisions for existing and projected needs of all economic segments of the community.



As shown in the bar chart above, the City of Sammamish has demonstrated sufficient land for housing, with a housing capacity of 144% of the City's housing target. Given the cost of single family housing, and because mixed use and multifamily housing types are typically more affordable than single-family, detached housing, the City recognizes the importance of having sufficient zoned capacity for multi-family and Town Center mixed use residential development in order to meet affordability needs. As shown above, approximately 50 percent of the City's capacity was in either multi-family or mixed use residentially zoned land. This is an important element in the City's overall approach to providing for affordable housing in Sammamish.

Countywide Planning Requirements. The King County Countywide Planning Policies (CPPs), in addition to reaffirming the GMA housing goals, require all cities to share the responsibility for achieving the goal of an equitable distribution of affordable housing in King County. Through the CPPs, cities in King County have agreed that housing in each community should reflect the existing countywide mix of household income. The CPPs define the county-wide need for housing by income as follows:

- 50–80% of AMI (moderate) 16% of total housing supply
- 30–50% of AMI (low) 12% of total housing supply
- 30% and below AMI (very low) 12% of total housing supply

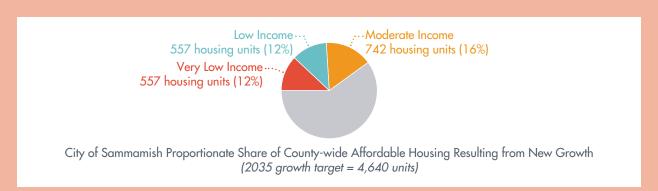
Currently the supply of existing affordable housing for lower income households is less than existing needs both countywide and in many cities, especially for very low income households. Sammamish has only about 2 percent of the City's existing housing stock affordable at up to 50 percent of median income, and about 5 percent affordable between 50 percent and 80 percent of median income. This is a much lower proportion than most other cities countywide and in East King County.

The CPPs encourage cities to employ a range of housing tools to address the countywide need and recognize that local jurisdictions should tailor their housing policies based on local circumstances and conditions. Cities are also expected to work collaboratively to meet the regional affordable housing need and to monitor and measure results.

Measuring Countywide Affordable Housing Need

These charts help to illustrate the estimated City of Sammamish proportionate share of the countywide affordable housing need resulting from new growth. The chart at right summarizes King County household income levels corresponding to 80, 50, and 30 percent of the 2016 HUD estimate of King County median household income. Based on the City's housing target of 4,640 units, the pie chart below shows the amount of affordable housing needed at each income level to meet a proportionate share of countywide affordable housing demand.





Recognizing that Sammamish has a lower proportion of affordable housing than other cities in East King County, the City will continue to work toward fulfilling its role in meeting the countywide need for affordable housing in King County. The goals and policies in this Housing Element specifically identify the policies, strategies and actions identified by the City to address this goal.

Special needs housing in this plan includes homes suitable for and occupied by people with one or more self-help limitations, such as physical or mental disability, longterm illness, or alcohol or drug issues. The housing may or may not incorporate supportive services, and may be permanent or transitional. Examples include adult family homes, assisted living facilities, and group homes for people with developmental disabilities.

Universal design

refers to a broad spectrum of ideas meant to produce products, buildings, or other built environments that are usable to the greatest extent possible by everyone, regardless of their age, ability, or status in life. Wheelchair ramps, essential for people in wheelchairs but also used by all, are a common example. There are also cabinets with pull-out shelves, kitchen counters at several heights to accommodate different tasks and postures, and low-floor buses that "kneel" (bring their front end to ground level, rather than on-board lifts).

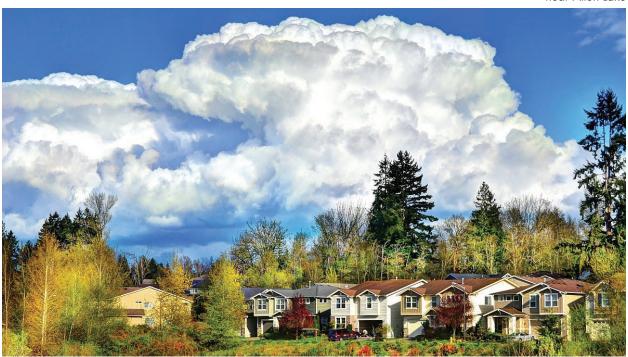
- Policy H.3.7 Support affordable rental and ownership housing throughout the city especially in areas with good access to transit, employment, education and shopping.
- Policy H.3.8 Ensure that affordable housing achieved through public incentives or assistance remains affordable for the longest possible term.
- Policy H.3.9 Maintain a record of publicly owned land, and if land is determined to be surplus for public purposes and is suitable for housing, consider its use for affordable housing with a preference for housing for low-income and very-low income households.
- Goal H.4 Housing for People with Special Needs
 Support a variety of housing opportunities to serve those with special needs.
- Policy H.4.1 Support ways for older adults and people with disabilities to remain in the community as their housing needs change by encouraging universal design or retrofitting homes for lifetime use.
- Policy H.4.2 Support a range of housing types for seniors; e.g., adult family homes, skilled nursing facilities, assisted living and independent living communities.
- Policy H.4.3 Ensure development regulations allow for and have suitable provisions to accommodate housing opportunities for special needs populations in Sammamish.
- Policy H.4.4 Encourage the geographic distribution of special needs housing throughout the city, understanding that some clustering of such housing may be appropriate if proximity to public transportation, employment opportunities, medical facilities or other services is necessary.
- Policy H.4.5 Support public and private housing and services for people who are homeless.

Goal H.5 Regional Collaboration

Actively participate and coordinate with other agencies in efforts to meet regional housing needs.

- Policy H.5.1 Support the development of region-wide plans for housing affordable to households with moderate, low and very low incomes, including those with special needs.
- Policy H.5.2 Support a coordinated regional approach to homelessness by supporting public and private housing and services for people who are homeless and work with other jurisdictions and health and social service organizations, including faith-based and other non-profit organizations, to develop a coordinated, regional approach to homelessness.
- Policy H.5.3 Maintain membership in inter-jurisdictional agencies to promote affordable housing on the Eastside.
- Policy H.5.4 Support and encourage housing legislation at the county, state, and federal levels that promotes the City's and region's housing goals and policies, including support for affordable and sustainable housing for all residents in the City and region.

Single family homes near Allen Lake



For more information, see the recommended 2006 Housing Strategy Plan, Exhibit A in Volume.II.H, beginning on page H.77.

Goal H.6 Monitoring

Implement Housing Element goals in a manner that is effective, efficient and transparent.

- Policy H.6.1 Adopt a Housing Strategy Plan to outline benchmarks, steps and milestones toward implementation of this Housing Element.
- Policy H.6.2 Support regional housing strategies.
- Policy H.6.3 Monitor the city's housing supply, type and affordability including measurable progress toward meeting a significant share of the countywide need for affordable housing for very low-, low-, and moderate-income households.
- Policy H.6.4 Evaluate and report on how the goals and policies of this Housing Element are being achieved.
- Policy H.6.5 On a regular basis, based on results of monitoring local data and effectiveness of local regulations and programs, reassess and adjust policies and strategies to meet local housing needs.

CITY OF SAMMAMISH WASHINGTON

RESOLUTION NO. R2006-231

A RESOLUTION OF THE CITY OF SAMMAMISH CITY COUNCIL APPROVING A HOUSING STRATEGY PLAN

WHEREAS, the City of Sammamish has adopted a comprehensive land use plan that includes a housing element as required by the State Growth Management Act; and

WHEREAS, the Housing Strategy Plan is anticipated in the housing element of the City's Comprehensive Plan as a tool to assist the City in meeting it's housing goals; and,

WHEREAS, the adopted Sammamish Comprehensive Plan reflects a balance of many goals and objectives arising from the state Growth Management Act (GMA) and calls for a variety of implementation actions to realize those goals over time;

WHEREAS, this Housing Strategy is one of several current and future efforts to realize the goals and objectives of the Comprehensive Plan, and the priorities described in the Housing Strategy should be pursued in coordination with and balanced with other work program efforts;

WHEREAS, the City Council recognizes the challenge that housing affordability presents in Sammamish and many other communities in the Puget Sound region, and is committed to identifying meaningful and effective strategies to address that challenge;

WHEREAS, many factors are involved in housing affordability and housing choice policy issues, and that policy options for specific regulatory standards or programmatic techniques should take into account and balance a variety of information prior to any decision being made;

WHEREAS, A Regional Coalition for Housing (also known as ARCH) has assisted the City in developing a housing strategy plan utilizing the policy guidance in the City's Comprehensive Plan; and,

WHEREAS, the Sammamish Planning Commission considered the plan at three regular meetings, and has recommended priority rankings for the various strategies within the plan; and,

WHEREAS, an environmental review has been conducted in accordance with the requirements of the State Environmental Policy Act, and a SEPA threshold determination has been prepared under Chapter 43.21C RCW for the plan; and,

WHEREAS, the Sammamish Planning Commission, after conclusion of deliberations on February 2, 2006, voted seven to zero to recommend City Council approval of the Housing Strategy Plan and the priority rankings contained therein; and,

WHEREAS, the City Council held a public hearing on the Housing Strategy Plan on March 7, 2006 and;

WHEREAS, the City Council has considered the plan, the recommendation of the Planning Commission, and public comment received; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO RESOLVE AS FOLLOWS:

The Housing Strategy Plan, attached as Exhibit A, is hereby approved by the City of Sammamish City Council. This document is intended to help guide future work program efforts by identifying high, medium and low priorities for future work and implementation. The strategies listed are intended to generally describe the type of program, regulation, or effort to be pursued. Each item likely will require follow up work, including public input, environmental analysis, and Planning Commission review before consideration by the City Council.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 21st DAY OF MARCH, 2006.

CITY OF SAMMAMISH

Mayor Michele E Petitti

ATTEST/AUTHENTICATED:

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: March 3, 2006
Passed by the City Council: March 21, 2006
Resolution No R2006-231

City of Sammamish Housing Strategy Plan - February 2, 2006 PC Recommended Draft

STRATEGY (Related Housing Element Policy)

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A. NEIGHBORHOOD QUALITY (HP-1, HP-2, HP-3, HP-4, HP-5)

Neighborhood Quality Objectives and Desired Outcomes:

Neighborhood quality policies focus on preserving and enhancing existing residential single family neighborhoods. The plan strives to protect neighborhoods by directing new growth consistent with the community vision to appropriate sites. Policies emphasize compatibility with existing neighborhood character for adjacent and infill development. The plan also strives to involve neighbors and community groups in neighborhood actions and improvements.

AI. NEIGHBORHOOD QUALITY: LAND USE REGULATIONS

- Sub Area Plans for Centers Develop Subarea Plans for the Inglewood and Pine Lake Centers; and a Master Plan for the Sammamish Commons area. Promote public notification and community participation in subarea planning (LUP 2.2, HP-3)
- 2. **Community Design Standards** Develop community design standards to reflect the desired characteristics of each neighborhood planning area or designated community center. Design standards should address issues such as: (LUP-3.11, LUP-6.2, LUP-6.3, HP-2, HP-3)
- Design criteria for SF dwellings on individual lots (LUP-6.2)
- Requirements for design variety while providing for designs with distinctive local character (LUP-3.11)
- Compatibility with surrounding uses (LUP-3.11, HP-2)
- Buildings of a scale and character appropriate to the site (LUP 3.11)
- Personal safety and reduction of vandalism (LUP-1.1, LUP 6.7)
- landscape and open space requirements that residential development fit in with the natural landscape; protects the privacy of other residences; and maintains the character of the nearby neighborhoods (LUP 14.1, LUP 3.11)
- promote public notification and community participation / input (HP-3)

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| Compatible Infill in Transition Areas & Areas with Certain Services | × | | |
| Develop Community Design Standards for compatible infill, especially in areas | | | |
| which (1) transition between SF residential and other uses or densities; (2) are | | | |
| served by an arterial street system with sidewalks; (3) are located within one- | | | |
| quarter mile of a neighborhood park or recreation area;(4) have nearby | | | |
| pedestrian access to public transit services; and, (5) allow access by service alleys | | | |
| when compatible with topography. (LUP-7.7, LUP-7.8, HP-1, HP-2,HP-3, HP-4) | | | |
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AII. NEIGHBORHOOD QUALITY: DIRECT AND INDIRECT FORMS OF ASSISTANCE

- community participation in neighborhood enhancement programs. (HP-5, HP-3) organizations that promote neighborhood enhancement and public art. Include Neighborhood Enhancement Provide support for individuals and
- Housing Repair and Preservation Promote preservation of existing housing by City support of organizations and programs involved in housing repair and education. City actions may include: (HP-18) 7
- partner with the King County Housing Repair and Rehabilitation Program or income residents maintain and repair the health and safety features of their non-profit organizations such as Rebuilding Together Eastside to assist low
- educating the community about Housing Repair programs through community fairs, brochures, City website etc.
- provide for regular infrastructure maintenance in residential neighborhoods. (HP-39) Provide Infrastructure Improvements In the City's Capital Facilities Plan m
- TYPES, VARIETY AND AMOUNT OF HOUSING (HP-6, HP-7, HP-8, HP-10, HP-11, HP-12, HP-13)

Types, Variety and Amount of Housing Objectives and Desired Outcomes:

Types, Variety and Amount of Housing policies focus on allowing new housing types that

City of Sammamish Housing Strategy Plan - February 2, 2006 PC Recommended Draft

STRATEGY (Related Housing Element Policy)

needs and preferences. The proposed single-family alternatives, including cottages, ADUs

and attached single-family homes, are compatible with existing neighborhoods and the

environment.

give the market the opportunity to provide housing choices to meet changing population

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BI. TYPES, VARIETY AND AMOUNT OF HOUSING: LAND USE REGULATIONS

empty nesters, and homes for those who work in the community is consistent with the essence of the City's vision of community.

Providing opportunities for smaller, more affordable starter homes, homes suitable for

- regulations in encouraging production while balancing maintaining neighborhood compatibility. Explore other actions for encouraging additional creation. Actions may include: (HP-19, HP-10) ADUs Track production of ADUs and evaluate effectiveness of land use ᆏ
- streamlined permits
- procedural requirements) to encourage additional ADU creation while revise existing ADU regulations (more flexible, less restrictive, reduce addressing neighborhood compatibility
- Make ADU permits available on mybuildingpermit.gov
- development regulations in City centers, including Inglewood, Pine Lake and the Town Center planning area. Consider issues such as: (LUP-2.4, LUP-2.6, LUP-Mixed Use Design Standards Develop mixed use design standards and 3.12, LUP-7.5, HP-3, HP-6, HP-9) 7
- Attractive street fronts with human scale (MF) (LUP-2.4)
- Connecting walkways (LUP-2.4)
- other building design features to give a residential scale and identity to MF Horizontal façade regulations to ensure variation in façade, rooflines and (LUP 7.5)
- Adaptive re-use of existing structures
- Innovative design techniques (LUP-2.6)
- promote public notification and community participation / input (HP-3)
- 3. Incentives to Expand Housing Choice Provide incentives for diverse housing

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STRATEGY (Related Housing Element Policy)

opportunities that meet community needs. (LUP-1.4, LUP-2.2, LUP-1.5, LUP 2.5, LUP-2.6, LUP-2.7, HP-6, HP-20, LUP-3.5)

Housing to consider include:

- a. **Diverse housing opportunities in City centers** that may include MF, mixed use and mixed income residential located close to services and arterials (e.g. Inglewood, Pine Lake, the Sammamish Commons SSA, and properties along 228th that may be affected by the Sammamish Commons). Incentives may be considered for community friendly development in centers, such as innovative design, walkway connections, public open spaces, below grade parking and ground floor commercial.
- Affordable or Workforce Housing induding MF dose to services and arterials, such as near Inglewood Center, Pine Lake center, and Sammamish Commons SSA.

Incentives to consider include:

- flexible development standards, e.g. reduced/flexible minimum lot area, setbacks, lot dimensions, height regulations or transitional area buffers.
 Provide residential density incentives where project demonstrates clear and compelling need and public benefit (LUP-3.5)
- height incentives, e.g. allowing modified Type V wood frame construction up to 5 stories in R-6 & R-8 (current limits 35); R-12 & R-18 (current limits 60')
- innovative parking designs
- strategic capital investments, infrastructure improvements
- State provision (RCW 84.14) to allow 10 year multifamily tax exemptions in Urban Centers. (HP-6, HP-20)
- permit expediting, streamlined administrative process
- 4. **Innovative Housing** Provide regulatory flexibility to allow innovative housing compatible with SF neighborhoods or SF transition areas. Housing types may include accessory units, small lot SF, attached SF, carriage houses or cottages, townhouses, manufactured housing; and multiplexes ("great-house" that resembles a SF unit). (LUP 1.1, LUP 7.4, HP-6, HP-10, HP-11, HP-12). Strategies

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| may include: | | | | | | | |
| Innovative Housing Demonstration Projects | | | | | | | |

- Mixing attached and detached housing in appropriately zoned areas. (LUP 7.4)

 Transit Oriented Housing Development Consider potential sites and appropriateness of land use regulations that could allow for Transit Oriented Housing Development COHD) near existing or planned transportation facilities.
- (LUP-1.4, LUP-2.2, LUP 2.5, LUP-2.6, HP-9)
 6. Manufactured Housing Allow manufactured housing in all residential zones consistent with Senate Bill 6593 (enacted 2004) that requires local governments
- to regulate manufactured housing in the same manner as other housing. (HP-12)
 7. Flexible Subdivision and Short Plat Standards Evaluate effectiveness and flexibility of subdivision and short plat standards to allow clustering of new residential development as a means of protecting environmentally sensitive areas In addition to clustering, consider the following: (HP-3, HP-8)
- Integrate different housing types and densities within projects
- density averaging
- shared driveways
- small lot and zero lot line development
- 8. **Minimum Density Requirements** Adopt minimum density requirements to the R-8, R-18, NB, CB and O zones.
- Growth Phasing for Residential Development Adopt residential
 development growth phasing that guides the location and timing of residential
 growth, recognizing environmental capacities and level of service standards, while
 providing for residential housing targets, including affordable housing. Account
 for on-going review. (LUP-3.4)
- 10. Criteria to Allow MF Zoning Increase Establish criteria for evaluating rezone requests that would establish "demonstration of a dear and compelling need and public benefit"; as well as location criteria; e.g. should be located close to arterials served by public transit and within walking distance of commercial activities, parks and recreational facilities. (LUP-3.5, LUP 7.6, HP-7, HP-21)

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BII. TYPES, VARIETY AND AMOUNT OF HOUSING: DIRECT AND INDIRECT FORMS OF ASSISTANCE

- ADUs Develop education and community outreach efforts to increase production of ADUs.
- Support Ownership Opportunities Support innovative programs to support ownership housing for low, moderate, and middle income households (e.g. owner-built housing, shared housing, 1st time homebuyer assistance programs, manufactured housing communities, price-restricted ownership, small lot and multiplex SF). Innovative programs may include: (HP-23)
- Habitat for Humanity (assisted by ARCH HTF)
- WSHFC 1st time homebuyer state bond mortgage programs
- WSHFC/ARCH/KC Homebuyer Assistance Program (assisted by ARCH HTF)
- Manufactured Housing Community Preservationists (assisted by ARCH HTF)
- 3. **Capital Investments to Support Mixed-Use and Mixed Income Housing** Include investment strategies, e.g. planned and existing infrastructure, for Town Center planning area that adequately encourages mixed use and mixed income residential neighborhoods. (LUP-1.4, LUP-2.2, LUP 2.5, LUP-2.6, LUP-2.7, HP-9)
- Technical Assistance and Education Provide technical assistance to establish innovative and diverse housing concepts. City actions may include (HP-22):
- housing tours for public officials and interested citizens that recognize good quality design, reasonable construction costs, and community acceptance in housing projects
- information workshops to increase developer interest and capacity for innovative, well designed infill housing
- Print ads to promote housing choice and diversity
- residential design awards that recognize good quality design, reasonable construction costs, and community acceptance in housing projects

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C. HOUSING AFFORDABILITY (HP-14, HP-15, HP-16, HP-17, HP-18, HP-19, HP-20,

HP-21, HP-22, HP-23, HP-24)

Housing Affordability Objectives and Desired Outcomes:

Housing Affordability policies support opportunities to preserve and develop housing in the City and region to meet the needs of all economic segments of the community. The plan includes policies, incentives, regulations and programs appropriate to local housing conditions to accommodate the City's share of housing affordable to low and moderate-income households, consistent with regional housing targets. Affordability targets are to be achieved in a variety of ways including accessory dwelling units, preservation of existing housing, and working with regional groups that support affordable housing. These options are to include design and review processes with the objective of providing affordable housing options while fitting into existing neighborhood character.

CI. HOUSING AFFORDABILITY: LAND USE REGULATIONS

- 1. **Criteria for Rezones requiring Affordable Housing** Establish standards and criteria for rezones to require providing affordable housing on or off-site. Criteria to include clear and compelling need and public benefit. (LUP-3.5, HP-7, HP-21)
- Zoning to allow Range of Housing Affordability Establish a range of residential densities to meet community housing needs and considering compatibility with the character of the City. (LUP 8.2)
- 3. **Dispersed Affordable Housing** Through zoning and subarea planning ensure that affordable housing is dispersed throughout the community. (HP-15)

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STRATEGY (Related Housing Element Policy)

- 4. Procedures and Regulations Streamline review procedures and regulation to minimize unnecessary costs and time delays. Balance this objective with maintaining opportunities for public involvement and review, public safety, and other explicitly stated City policies. Actions may include: (HP-17)
- Fees. Evaluate the cumulative impact of fees, including off site mitigation, to reduce negative impacts to housing costs without unduly compromising environmental protection, public safety, design, and public review.
- Permit process. Evaluate timeliness of permit process to reduce negative impacts to housing costs without unduly compromising environmental protection, public safety, design, and public review.

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- Review **land use code** for redundant or overly restrictive regulations, particularly those which result in increased housing costs. Examples may include: allow rounding up of mf units at a lower fraction; increasing the distance between streetlights, reducing rights-of-way and street widths.
- Review **administrative procedures** for ease of administration and consistency with procedures used in other jurisdictions.

CII. HOUSING AFFORDABILITY: DIRECT AND INDIRECT FORMS OF ASSISTANCE

- Applications to other Funders Provide support for funding applications and
 other efforts by market and not-for-profit developers to build new or rehabilitate
 existing housing. Support efforts of affordable housing agencies and social and
 health service agencies to address housing needs for all economic segments of
 the population. (HP-16, HP-24)
- Direct assistance for affordable housing. Explore potential for a more dedicated revenue source that could be targeted toward affordable housing. Examples may include: (HP-22)
- cash mitigation from new developments
- portion of sales or property tax from new residential construction
- Impact Fee Reductions Consider waiving or reducing fees for affordable housing. Examples may include permit fees, impact fees, hook-up fees. (HP-20, HP-22)

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- evaluate which fees and if done programmatically or case-by-case
- Homebuyer Assistance Promote homebuyer assistance programs offered by lenders and public agencies. Activities may include: (HP-23)
- housing fairs
- distribute homebuyer program info (Sammamish website, City newsletter/press release, brochure display)

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D. SPECIAL NEEDS HOUSING (HP-25, HP-27)

Special Needs Housing Objectives and Desired Outcomes:

Special Needs Housing policies support equal and fair housing access for all members of the community, including individuals with special needs. City's codes and ordinances provide the necessary flexibility for group homes, home based care or other housing options for persons with special needs.

The plan recognizes that providing housing for persons with special needs often requires regional partnerships, such as Sammamish's participation with the King County Consortium and ARCH.

DI. SPECIAL NEEDS HOUSING: LAND USE REGULATIONS

- Dispersed Special Needs Housing Through zoning and subarea planning, ensure special needs housing is dispersed throughout the community. (HP-25)
- Fair Housing Act Consistency Review group homes standards for consistency with the Federal Fair Housing Act. Ensure codes provide opportunities for special needs housing, including emergency housing, transitional housing, assisted living, independent living, family based living and institutions. (HP-27, HP-10)
- evaluate that provisions allow for reasonable accommodation
- provide regulatory flexibility to promote independent living (HP-10)
- ensure that assisted housing and group homes are treated the same as housing of a similar size and density
- ensure policies do not preclude special needs housing from any residential zoning districts

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- definitions (disability, residential care facilities) are current to ADA/FHA to avoid excluding those with disabilities, ensure that land use code
- regulations support senior housing and recognize smaller household sizes, which 3. Senior Housing Review senior housing land use regulations. Ensure that may include: (HP-27)
- reduced parking requirements
- intensity of development (e.g. density bonus or relaxed density standard)
- recognize different and emerging types of senior housing and account for different levels of need and impact on the community
- 4. Homeless Encampments Review existing TUP regulations and consider criter process and conditions for homeless encampments. (HP-27)

DII. SPECIAL NEEDS HOUSING: DIRECT AND INDIRECT FORMS OF ASSISTANCE

efforts by market and not-for-profit developers, housing agencies, and social and health service agencies, to build new or rehabilitate existing special needs Applications to Funders Provide support for funding applications and other housing. (HP-26) ᆏ

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E. REGIONAL EFFORTS (HP-28, HP-29, HP-30, HP-31, HP-32, HP-33, HP-34)

Regional Efforts Objectives and Desired Outcomes:

Regional Efforts policies support a coordinated, regional approach to meeting housing needs; particularly housing for persons with special needs or lower income families. Policies include support of regional housing coalitions and innovative public-private partnerships that are consistent with the City's land use policies.

- E. REGIONAL EFFORTS (HP-28, HP-29, HP-30, HP-31, HP-32, HP-33, HP-34)
- Countywide Planning Policies Coordinate with countywide housing policy and analysis, such as updates to Countywide Planning Policies. (HP-30) ,i

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STRATEGY (Related Housing Element Policy)

| ising Balance Work cooperatively with other jurisdictions to achieve a | regional fair share housing balance and maximize housing resources, e.g. ARCH. | |
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- regular basis needed for regional Benchmarks, Buildable Lands and OFM housing 3. Regional Land and Housing Monitoring Collect housing information on a reports. (LUP 16.2, HP-28HP-36, HP-37)
- Regional Housing Finance Strategy Work with other jurisdictions to develop and implement a new regional housing finance strategy. (HP-29) 4.
- **Federal Housing Legislation** Review, and as appropriate, provide comment on county, state and federal legislation affecting housing in Sammamish. (HP-32) 'n

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LOCAL IMPLEMENTATION / OVERSIGHT

(HP-35, HP-36, HP-37, HP-38, HP-39)

Implementation Objectives and Desired Outcomes:

planning, through a housing strategy plan, regulatory amendments, residential development Sammamish residents. Plan implementation may be through sub-area and special district Implementation policies focus on review and update of the housing plan and development growth management tools, and other amendments to development permit processes that standards in order to measure their effectiveness in meeting the housing needs of are participatory, timely, predictable and fair to all affected parties.

- **Single Family Neighborhoods** Monitor zoning guidelines and development to ensure single-family dwellings are the principal use in the City's established single family neighborhoods. (LUP 8.3) ų.
- regulations and approval process to allow/encourage a variety of housing types to meet community housing need. Innovative housing types may include: Accessory Monitor Innovative Housing Development Review effectiveness of housing units; small lot SF; attached SF; carriage houses or cottages; townhouses; mixed manufactured housing; and Transit oriented housing development. If a need is use residential; multiplexes ("great-house" that resembles a SF dwelling unit); 7

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Exhibit A

STRATEGY (Related Housing Element Policy)

determined, consider incentives and programs to encourage, e.g. BI.3, BI.4. (LUP 1.1, LUP 7.4, HP-6, HP-10, HP-11, HP-12)

- ARCH Housing Trust Fund Participate in local, interjurisdictional programs, such as the ARCH Housing Trust Fund, to coordinate and distribute funding of affordable and special needs housing. (HP-31, HP-34)
- 4. **Housing Supply** Monitor development and evaluate the affects new regulations and/or rezones may have on the housing supply/land capacity, and the community vision. Monitor progress in meeting housing needs and report to City Council. (HP-13, HP-36, HP-37)
- Public Land Survey Develop and maintain an inventory of surplus and underutilized public lands. Review survey to determine if such lands are suitable for housing and other public uses. (HP-36,HP-38)
- Infrastructure Improvements Monitor infrastructure improvements and maintenance in residential neighborhoods consistent with City's Capital Facilities and subarea plans. (HP-39)
- 7. **Housing Strategy Plan** Prepare a Housing Strategy Plan to develop strategies to address low and moderate income housing targets consistent with the Countywide policies. Update every three years. (HP-14, HP-35)
- 8. **Housing Element Updates** Review and update the Housing Element at the time of the Comprehensive Plan Update. (HP-35)

| Land Use Code | Council | <u>a</u> | Population Served | n Servec | | | Priority |
|------------------|---------|----------|-------------------|----------|-----|----------|------------|
| | Action | Low | Мод | Med | Mkt | | |
| | | | | | | | |
| | × | × | × | × | | | I |
| | | | × | × | × | <u> </u> | on-going |
| 1 | | × | × | × | × | | on-going |
| | × | × | × | × | × | | on-going |
| | × | × | × | × | × | | in process |
| | | × | × | × | × | | on-going |
| | | | | | | | |
| | | | | | | | |

East King County: Local Housing Strategies

| Tools | | / | / / | / / | / | / / | / / | / / | / | <u> </u> | <i></i> |
|--|----------|---------|---------|----------------|----------|---------|-----------|---------|-----------|----------|---------|
| | Bellevue | Bothell | ssatuan | Lennore | Kirkland | Mercers | Newcastle | Redmond | Sartinari | Modinii | seriors |
| Land Use: Housing Supply and Diversity | \ Agr. | 800 | 1550 | fer. | Kirk | Me | Mex | / REC | Sali | Mo | GET. |
| Increase Development Capacity | | | | | | | | | | | |
| Voluntary Approaches | • | | • | • | | • | | | • | • | |
| Mandatory Approaches | | | • | • | • | | • | • | • | | |
| Development Agreements | | | • | | | • | | • | | | |
| On-site affordable Units | | | • | | | • | | • | | | |
| Site Control / In-lieu | • | | • | | | | | | | | |
| Dimension standards flexibility | • | | • | | • | | | | | | |
| Reduce Parking Requirement ¹ | • | | | | • | | | | | | • |
| Reduce Open Space Requirement | | | • | | | | | | | | |
| Smaller Ownership Housing ² | | | | | • | | • | • | • | | • |
| Mobile Home Park Preservation | | • | | | | | | | | | • |
| Micro Units (renter housing) | | | | | • | | | • | | | |
| SEPA - Planned Action EIS | | | | | | | | | | | |
| Regulatory Incentives for Affordable Ho | using | | | | | | | | | | |
| ADUs ³ | | | | | • | • | • | | | | • |
| MFTE ⁴ | • | | | • | • | • | | | | | |
| Impact Fee Waivers | • | | • | • | • | | • | | • | | |
| Permit Fee Waivers | • | | • | | • | | • | | • | | |
| Direct Support | | | | | | | | | | | |
| ARCH Trust Fund ⁵ | • | | • | • | • | • | • | • | • | • | • |
| Underutlized Land | | | | | | | | | | | |
| City Land, Market Value | • | • | | • | | | | • | | | • |
| City Land, Donation | • | | • | | • | | | • | • | | • |
| Other Public Agencies | • | | | • | • | | | • | | | |
| Private Land ⁶ | • | | • | | • | | | | | | • |
| Other Tools | | | | | | | | | | | |
| Community Outreach | | | | | | | | | | | |
| Education: Class / Tours | | | | | • | | | • | • | | |
| Neighborhood Plans | | | | • | • | | | • | | | |
| Media/City Newsletters | | | | | | | | | | | |
| Preserve Existing Housing | | | | | | | | | | | |
| Preserve federally assisted ⁷ | • | • | • | | • | • | | • | | | |
| Sending' TDR credit | | | | | | | | | | | |
| Proactive outreach to owners | | | | | • | | | | | | |
| Relocation Assistance | | | | | | | | | | | |
| Section 8 Anti-discrimination | • | | | | • | | | • | | | |

¹ Only lists cities with explicit reduced standards for affordable housing. Many cities allow special studies to reduce parking.

² E.g., cottages, multi-plexes.

³ Multi-family Property Tax Exemption.

¹ All cities allow Accessory Dwelling Units. This indicates cities that have permitted 10 or more ADUs per 1,000 single-family homes.

⁴ Multifamily Property Tax Exemption.

⁵ All cities have contributed CDBG funds. This indicates cities that have also given from general funds.

⁶ E.g., churches, private donations to non-profits.

Exhibit 4 Previous City Housing Efforts

Since approving the 2006 Strategy Plan, the City has taken action in a number of areas, including:

Types, Variety, and Amount of Housing:

- Town Center. The City's 2008 Town Center Plan calls for up to 2,000 dwelling units to promote development of housing that may not otherwise be built in the City, through a mixture of multi-family units in mixed-use and stand-alone structures, townhouses, cottages, and detached single-family dwellings. The Town Center Code (Title 21B SMC) allows more homes and a wider variety of housing types in the Town Center. Moreover, these homes will have convenient walking access to shopping, open space, and transit.
- Transfer of Development Rights (TDR) incentives. As another catalyzing mechanism in the Town Center, the City amended its code to enable developers to build more housing units by purchasing development rights from property owners located in four low-density residential zones of the City.
- Low-impact development (LID) incentives. The City now rewards developments that use one or more of the preferred techniques for reducing the environmental impacts of new residential development. The incentives include density bonuses and the allowance of attached housing.
- Accessory dwelling units (ADUs). The City has adopted regulations allowing ADUs, and in 2011 amended the code to allow attached ADUs on any sized lot and to waive additional off-street parking requirements.
- **Townhomes and apartments** are allowed in all zones. Additionally, to promote the development of housing in proximity to shopping and services, limited commercial uses are allowed in multi-family zones.
- **Duplex homes.** Duplexes are now allowed in all residential zones except R-1 (subject to design standards).
- **Cottage housing.** The City has approved two projects under a pilot program for cottage housing in the R-4 and R-6 zones.
- **Manufactured housing.** Consistent with state law, the City allows manufactured (i.e., factory-built) homes in all residential zones and otherwise regulates them in the same manner as other housing.

Housing Affordability:

- Town Center. The Town Center Code ensures that at least ten percent of new housing units in the Center will be affordable to moderate-income households (or fewer, if the units are even more affordable). In exchange, developers have more options with respect to building types, height, and density. In addition, developments may receive two bonus market-rate units for each affordable unit provided above the required ten percent.
- **Surplus land.** In 2011, the City Council approved the transfer of City property (the former Lamb house) to Habitat for Humanity to provide long-term affordable home ownership for low- and moderate-income families.

- **Duplex homes.** Duplexes that satisfy conditions for affordable housing will count as one-half of a dwelling unit for purposes of density regulation.
- **Impact fee waivers.** City impact fee provisions include waivers of school impact fees for low- and moderate-income housing, and partial waivers for road and park impact fees (depending on levels of affordability and size of project).
- **ARCH Trust Fund**. The City has provided approximately \$300,000 to support a variety of low- and moderate-income housing projects throughout East King County.

Special Needs Housing:

• **Group Residences.** Group homes are allowed as-of-right in medium-density residential zones and as part of mixed-use development in commercial zones, as well as a conditional use in low-density residential zones.



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PLANNING COMMISSION AGENDA ITEM

September 6, 2017

SUBJECT

Chapters 13.15, 13.20, 13.30, 21A.15 of the Sammamish Municipal Code (SMC) and Sammamish Addendum to the 2016 King County Surface Water Design Manual (KCSWDM) Surface Water Runoff Code Amendments

STAFF CONTACTS

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Kellye Hilde, Planning Manager, Community Development 425-295-0582, khilde@sammamish.us

DIRECTION NEEDED FROM PLANNING COMMISSION

☐ Action

☑ Discussion

SUMMARY STATEMENT

□ Information

The Department of Public Works is proposing code amendments to Chapters 13.15. 13.20, 13.30, and 21A.15 SMC and Sammamish Addendum to the 2016 KCSWDM Surface Water Runoff Code for review and discussion at the September 6, 2017 Planning Commission Meeting.

PROCESS AND BACKGROUND

The Department of Public Works will discuss the attached proposed draft amendments to Chapter 13.20 SMC which contain city-wide surface water runoff regulations, as well as specific requirements for the Inglewood Historic Plat Area. Staff will also present amendments to SMC Chapter 13.15 Definitions, 13.30 Water Quality, 21A.15 Technical Terms and Land Use Definitions, and Sammamish Addendum to the 2016 KCSWDM. These amendments address the following issues:

- Inglewood Historic Plat Area. Based on citizen comments, the City Council requested staff review the surface water runoff regulations that were codified in 2015 regulating stormwater discharge for development within the Inglewood Historic Plat Area. Given the completion of the Inglewood Stormwater Retrofit Improvement project and the adoption of the 2016 King County Surface Water Design Manual and Sammamish Addendum, these regulations may place an unfair burden on smaller development projects in this area.
- Code Clarification. Stakeholders have expressed confusion or frustration with code requirements and application of the regulations. In addition, Chapter 13.20 SMC contains duplicate language that is part of the adopted 2016 KCSWDM.

- 3. Low Impact Development Outreach. Mandatory outreach efforts from developers are needed to educate future homeowners so that approved LID techniques remain viable and are maintained appropriately.
- 4. **Allowable Stormwater Discharges.** National Pollution Discharge Elimination System (NPDES) Phase 2 Permit required revisions to allowable discharges to the surface and stormwater system.

PROJECT OVERVIEW

City staff hosted a public meeting on May 25, 2017 to collect public feedback and provide an overview of the surface water runoff regulations in the Inglewood Historic Plat Area ("the Plat"). The Plat-specific code requires City drainage review of all developments proposing 500 square feet or greater of new plus replaced impervious surface. In addition, all Plat properties that are located in environmentally critical areas must also conform to other restrictions. City staff also reviewed the rest of Sammamish's surface water runoff regulations and are proposing edits to simplify and clarify several sections.

Based on our review and feedback from developers, homeowners, and City staff, staff recommends the attached code amendments to Chapters 13.20 and 21A.15 SMC, and the Sammamish Addendum to the 2016 KCSWDM.

Code revisions to Chapters 13.15 and 13.30 SMC address NPDES Phase 2 permit requirements for allowable discharges.

NEXT STEPS

Staff will present the proposed Chapters 13.15, 13.20, 13.30, and 21A.15 SMC and the Sammamish Addendum to the 2016 KCSWDM code amendments for the Planning Commission's review and will address questions and comments at the September 6, 2017 meeting. Comments and suggested revisions will be addressed during the Public Hearing and Deliberation scheduled for September 21, 2017.

RECOMMENDATION

No action is required on this agenda item. Staff requests direction and feedback from the Planning Commission concerning the proposed code amendments to Chapters 13.15. 13.20, 13.30, and 21A.15 SMC and Sammamish Addendum to the 2016 KCSWDM Surface Water Runoff Code.

EXHIBITS

- 1. Updated Chapter 13.15 SMC Definitions, Chapter 13.20 SMC Surface Water Runoff Regulations, Chapter 13.30 SMC Water Quality, Chapter 21A.15 SMC Technical Terms and Land Use Definitions, and the Sammamish Addendum to the 2016 KCSWDM (clean).
- 2. Strikethrough/Underline Version of Chapter 13.15 SMC Definitions, Chapter 13.20 SMC Surface Water Runoff Regulations, Chapter 13.30 SMC Water Quality, Chapter 21A.15SMC Technical Terms and Land Use Definitions, and the Sammamish Addendum to the 2016 KCSWDM.
- 3. Public Comments

Chapter 13.10 DEFINITIONS

Sections:

| E | ections: | |
|---|------------------|--|
| | 13.10.010 | Scope of chapter. |
| | 13.10.020 | Adjustment. |
| | 13.10.030 | AKART. |
| | 13.10.040 | Applicant. |
| | 13.10.050 | Basin. |
| | 13.10.060 | Basin plan. |
| | 13.10.070 | Best management practices. |
| | 13.10.080 | City. |
| | 13.10.090 | Closed depression. |
| | 13.10.100 | Clean Water Act. |
| | 13.10.110 | Construct or modify. |
| | 13.10.120 | Conveyance system. |
| | 13.10.130 | Department. |
| | 13.10.140 | Development. |
| | <u>13.10.150</u> | Developed parcel. |
| | <u>13.10.160</u> | Director. |
| | <u>13.10.170</u> | Division. |
| | <u>13.10.180</u> | Discharge. |
| | <u>13.10.190</u> | Drainage. |
| | <u>13.10.200</u> | Drainage facility. |
| | <u>13.10.210</u> | Drainage review. |
| | 13.10.220 | Effective impervious surface. |
| | <u>13.10.230</u> | Erosion and sediment control. |
| | <u>13.10.240</u> | Farm management plan. |
| | <u>13.10.250</u> | Financial guarantee. |
| | 13.10.260 | Flood hazard reduction plan. |
| | 13.10.270 | Flow control best management practice. |
| | 13.10.280 | Flow control facility. |
| | 13.10.290 | Forest practices. |

13.10.300 Full drainage review.

| 13.10.310 | Groundwater. |
|-----------|---|
| 13.10.320 | High-use site. |
| 13.10.330 | Hydraulically connected. |
| 13.10.340 | Impervious surface. |
| 13.10.350 | Improvement. |
| 13.10.360 | Land disturbing activity. |
| 13.10.370 | Land use code. |
| 13.10.380 | Lake management plan. |
| 13.10.390 | Large project drainage review. |
| 13.10.400 | Licensed civil engineer. |
| 13.10.410 | Maintenance. |
| 13.10.420 | Master drainage plan. |
| 13.10.421 | Municipal Separate Storm Sewer Systems (MS4) |
| 13.10.430 | National Pollutant Discharge Elimination System. |
| 13.10.440 | National Pollutant Discharge Elimination System permit. |
| 13.10.450 | Native vegetated surface. |
| 13.10.460 | Natural discharge location. |
| 13.10.470 | Natural surface water drainage system. |
| 13.10.480 | New impervious surface. |
| 13.10.490 | New pervious surface. |
| 13.10.500 | Open space. |
| 13.10.510 | Parcel. |
| 13.10.520 | Person. |
| 13.10.525 | Pervious surface. |
| 13.10.530 | Pollution-generating impervious surface. |
| 13.10.540 | Pollution-generating pervious surface. |
| 13.10.550 | Project. |
| 13.10.560 | Project site. |
| 13.10.570 | Rate category. |
| 13.10.580 | Redevelopment project. |
| 13.10.590 | Replaced impervious surface. |
| 13.10.600 | Residence. |
| 13.10.610 | Residential parcel. |

| <u>13.10.620</u> | Runoff. |
|------------------|---|
| 13.10.630 | Salmon conservation plan. |
| 13.10.640 | Shared facility. |
| 13.10.650 | Service area. |
| <u>13.10.655</u> | Simplified drainage review. |
| <u>13.10.660</u> | Site. |
| 13.10.670 | Repealed. |
| 13.10.680 | Source control BMP. |
| 13.10.690 | State Waste Discharge Permit. |
| 13.10.700 | Stormwater compliance plan. |
| <u>13.10.710</u> | Stormwater plan. |
| 13.10.720 | Stormwater Pollution Prevention Manual. |
| 13.10.730 | Subbasin. |
| <u>13.10.740</u> | Surface and stormwater. |
| <u>13.10.750</u> | Surface and stormwater management services. |
| <u>13.10.760</u> | Surface and stormwater management system. |
| 13.10.770 | Surface Water Design Manual. |
| 13.10.780 | Surface water management fee protocols. |
| 13.10.790 | Treatment BMP. |
| 13.10.800 | Targeted drainage review. |
| <u>13.10.810</u> | Undeveloped parcel. |
| 13.10.820 | Water quality facility. |

13.10.421 Municipal Separate Storm Sewer Systems. SHARE SHARE

"Municipal Separate Storm Sewer Systems" or "MS4" is a conveyance or system of conveyances that is owned by the City of Sammamish that discharges to waters of the U.S., designed or used to collect or convey stormwater (e.g., storm drains, pipes, ditches), not a combined sewer, and not part of a sewage treatment plant, or publicly owned treatment works.

Chapter 13.20 SURFACE WATER RUNOFF REGULATIONS

Sections:

| <u>13.20.010</u> | Purpose. |
|------------------|--|
| 13.20.020 | Drainage review – When required – Type. |
| <u>13.20.030</u> | Drainage review – Requirements. |
| 13.20.040 | Critical drainage and/or critical erosion areas. |
| 13.20.050 | Engineering plans for the purposes of drainage review. |
| 13.20.060 | Construction timing and final approval. |
| <u>13.20.070</u> | Liability insurance required. |
| 13.20.080 | Financial guarantees authorized. |
| <u>13.20.090</u> | Drainage facilities accepted by Sammamish for maintenance. |
| <u>13.20.100</u> | Drainage facilities not accepted by Sammamish for maintenance. |
| <u>13.20.110</u> | Hazards. |
| <u>13.20.120</u> | Administration. |
| <u>13.20.130</u> | Enforcement. |
| <u>13.20.140</u> | Implementation, review and revision. |
| 13.20.150 | Severability. |

13.20.010 Purpose. SHARE SHARE

The purpose of this chapter is to promote the public health, safety and welfare by providing for the comprehensive management of surface and stormwaters and erosion control, especially that which preserves and utilizes the many values of the City's natural drainage system including open space, fish and wildlife habitat, recreation, and education. By conducting programs to reduce flooding, erosion, and sedimentation; prevent and mitigate habitat loss; enhance groundwater recharge; and prevent water quality degradation through the implementation of comprehensive and thorough permit review, construction inspection, enforcement, and maintenance, the effectiveness of the requirements contained in this chapter will be promoted. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.020 Drainage review – When required – Type. ^{□ SHARE} ■ ■ SHARE ■ S

(1) Drainage review is required when any proposed project is subject to a City of Sammamish development permit or approval and:

- (a) Would result in 2,000 square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface; or:
- (b) Would involve 7,000 square feet or more of land disturbing activity; or
- (c) Would construct or modify a drainage pipe or ditch that is 12 inches or more in size or depth or receives surface and stormwater runoff from a drainage pipe or ditch that is 12 inches or more in size or depth; or
- (d) Contains or is adjacent to a flood hazard area as defined in SMC Title 15 or 21A; or
- (e) Would result in the conversion of 1,000 square feet or more of pervious surface to impervious surface when located within a critical drainage area; or
- (f) Is a redevelopment project proposing \$100,000 or more of improvements to an existing highuse site.
- (2) The drainage review for any proposed project shall be scaled to the scope of the project's size, type of development and potential for impacts to the regional surface water system to facilitate preparation and review of project applications. If drainage review for a proposed project is required under subsection (1) of this section, the City shall determine which of the following drainage reviews apply as specified in the Surface Water Design Manual:
 - (a) Simplified drainage review;
 - (b) Targeted drainage review;
 - (c) Directed drainage review;
 - (d) Full drainage review; or
 - (e) Large project drainage review.

(Ord. O2016-428 § 5 (Att. C); Ord. O2015-389 § 1 (Att. A); Ord. O2011-304 § 1 (Att. A))

13.20.030 Drainage review - Requirements. C SHARE SHARE

- (1) A proposed project required to have drainage review by this chapter must meet each of the Core Requirements which are described in detail in the Surface Water Design Manual and as amended by the Sammamish Addendum to the Surface Water Design Manual.
- (2) A proposed project required by this chapter to have drainage review shall meet the Special Requirements which apply to the site and which are described in detail in the Surface Water Design Manual.
- (3) An adjustment to the requirements contained in the Surface Water Design Manual may be proposed in accordance to the terms and conditions for Drainage Adjustment in the Surface Water Design Manual.
- (4) Proposed projects shall include outreach and education materials to support the continued maintenance and operation of low impact development best management practices. Such materials shall include an on-site educational kiosk located in a high foot traffic area of the development, educational brochures and handouts, noticing on title, noticing on the final plat of maintenance and operations responsibility, and noticing in the Covenants, Conditions, and Restrictions, when any are applicable. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.040 Critical drainage areas. SHARE SHARE

Development in areas where the department has determined that the existing flooding, drainage and/or erosion conditions present an imminent likelihood of harm to the welfare and safety of the surrounding community shall meet special drainage requirements set by the director until such time as the community hazard is alleviated. Such conditions may include the limitation of the volume of discharge from the subject property to predevelopment levels, preservation of wetlands or other natural drainage features or other controls necessary to protect against community hazard. Critical Drainage Areas are defined in Chapter 21A.15 SMC. Development proposed in critical drainage areas requiring drainage review shall not qualify for any exemptions or exceptions from Core Requirements 1, 2, 3, 4, 5, 8, or 9 in the Surface Water Design Manual unless approved by the director. Where alternate facility designs or methods will produce a compensating or comparable result in the public interest and which will meet this section's objectives of safety, function, appearance, environmental protection and maintainability, based upon sound engineering judgment, an adjustment to the special drainage requirements promulgated under this section may be proposed; provided, that the resulting development shall be subject to all of the remaining terms and conditions of this chapter. Where application of this section will deny all reasonable use of a property and a facility or design that produces a compensating or comparable result cannot be obtained, then an adjustment criterion exception may be approved in accordance to the process as required in the Surface Water Design Manual. This process includes, but is not limited to, legal noticing, public comment period, and reconsideration request. These

standards are in addition to the applicable standards of Chapter <u>21A.50</u> SMC. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.050 Engineering plans for the purposes of drainage review. C SHARE SHARE

- (1) These requirements are in addition to the submittal requirements established by Chapter 20.05 SMC.
 - (a) All engineering plans shall be submitted to the City for review in accordance with the Surface Water Design Manual except those drainage plans developed by, or under the review of, the City of Sammamish department of public works for either surface and stormwater capital improvement, repair, maintenance or restoration projects or other linear government agency projects, such as roadways, railways, pipelines, utility lines and trails.
 - (b) If engineering plans are returned for any reason, they shall be returned to the applicant.
 - (c) All master drainage plans, if required, shall be submitted to the City for review in accordance with the specifications in the Surface Water Design Manual. The master drainage plan process should commence at the same time as the State Environmental Policy Act (SEPA) process.
 - (d) Drainage plans not subject to review by the City under subsection (1)(a) of this section shall be reviewed by the department of public works in accordance with this chapter. Project applicability and compliance with this chapter shall be documented in writing and available for review.
- (2) The expiration time frames as specified in the Surface Water Design Manual shall apply to all permit and approval applications.
- (3) All plans shall be processed in accordance with the review procedures specified in the Surface Water Design Manual.
- (4) Submittal procedures, definitions and specifications for the required contents of engineering plans are presented in the Surface Water Design Manual. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.060 Construction timing and final approval. CO SHARE STARE

(1) No work related to permanent or temporary storm drainage control for a permitted development may proceed without the approval of the director.

- (2) Erosion and sediment control measures associated with both the interim and permanent drainage systems shall be:
 - (a) Constructed in accordance with the approved plan prior to any grading or land clearing other than that associated with an approved erosion and sediment control plan; and
 - (b) Satisfactorily sequenced and maintained until all improvements, restoration, and landscaping associated with the permit and approvals for the project are completed and the potential for onsite erosion has passed.
- (3) The applicant shall have constructed and have in operation those portions of the drainage facilities necessary to accommodate the control of surface and stormwater runoff discharging from the site before the construction of any other improvements or buildings on the site, or in accordance with SMC Title 19A. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.070 Liability insurance required. SHARE SHARE

The applicant required to construct the drainage facility pursuant to this chapter shall maintain a combined single limit per occurrence liability policy in the amount established annually by the City, which shall name City as an additional insured and protect the City from liability relating to the construction or maintenance of the facility until construction approval or acceptance for maintenance, whichever is last. Proof of this required liability policy shall be provided to the director prior to commencing construction of any drainage facility. If this liability insurance is not kept in effect as required, the City may initiate enforcement action pursuant to SMC Title 23. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.080 Financial guarantees authorized. SHARE SHARE STARE

The City is authorized to require all applicants issued permits or approvals under the provisions of this title to post financial guarantees consistent with the provisions of SMC Title <u>27A</u>. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.090 Drainage facilities accepted by Sammamish for maintenance.



(1) The City is responsible for the maintenance, including performance and operation, of drainage facilities which have formally been accepted for maintenance by the director.

- (2) The City may assume maintenance of privately maintained drainage facilities only if (a) the City first determines that a clear public benefit will result, greater in scope than the public cost, from the use of public resources to participate wholly or partially in the maintenance of a private storm or surface water drainage system component, and (b) all of the following conditions have been met:
 - (a) All necessary easements or dedications entitling the City to properly maintain the drainage facility have been conveyed to the City;
 - (b) The director has determined that the facility is in the dedicated public road right-of-way or that maintenance of the facility will contribute to protecting or improving the health, safety and welfare of the community based upon review of the existence of or potential for:
 - (i) Flooding,
 - (ii) Downstream erosion,
 - (iii) Property damage due to improper function of the facility,
 - (iv) Safety hazard associated with the facility,
 - (v) Degradation of water quality or in-stream resources, or
 - (vi) Degradation to the general welfare of the community; and
 - (c) The director has declared in writing acceptance of maintenance responsibility by the City. Copies of this document will be kept on file in the department of public works.
- (3) The director may terminate the department's assumption of maintenance responsibilities in writing after determining that continued maintenance will not significantly contribute to protecting or improving the health, safety and welfare of the community based upon review of the existence of or potential for:
 - (a) Flooding;
 - (b) Downstream erosion;
 - (c) Property damage due to improper function of the facility;
 - (d) Safety hazard associated with the facility;

- (e) Degradation of water quality or in-stream resources; or
- (f) Degradation to the general welfare of the community.

Copies of this document will be kept on file in the department of public works.

(4) A drainage facility which does not meet the criteria of this section shall remain the responsibility of the applicant required to construct the facility and persons holding title to the property for which the facility was required. (Ord. O2017-432 § 1 (Att. A); Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.100 Drainage facilities not accepted by Sammamish for maintenance.



- (1) The person or persons holding title to the property and the applicant required to construct a drainage facility shall remain responsible for the facility's continual performance, operation and maintenance in accordance with the standards and requirements of the department and remain responsible for any liability as a result of these duties. This responsibility includes maintenance of a drainage facility which is:
 - (a) Under a maintenance guarantee or defect guarantee;
 - (b) A private road conveyance system;
 - (c) Released from all required financial guarantees prior to July 7, 1980;
 - (d) Located within and serving only one single-family residential lot;
 - (e) Located within and serving a multifamily or commercial site unless the facility is part of an approved shared facility plan;
 - (f) Located within or associated with a short subdivision or subdivision which handles runoff from an area of which less than two-thirds is designated for detached or townhouse dwelling units located on individual lots unless the facility is part of an approved shared facility plan;
 - (g) Previously terminated for assumption of maintenance responsibilities by the department in accordance with this chapter; or
 - (h) Not otherwise accepted by the City for maintenance.

- (2) Prior to the issuance of any of the permits for any multifamily or commercial project required to have a flow control or water quality treatment facility, the applicant shall record a declaration of covenant as specified in the Surface Water Design Manual. The restrictions set forth in such covenant shall include, but not be limited to, provisions for notice to the persons holding title to the property of a City determination that maintenance and/or repairs are necessary to the facility and a reasonable time limit in which such work is to be completed.
 - (a) In the event that the titleholders do not effect such maintenance and/or repairs, the City may perform such work upon due notice. The titleholders are required to reimburse the City for any such work. The restrictions set forth in such covenant shall be included in any instrument of conveyance of the subject property and shall be recorded with the records and licensing services division of King County.
 - (b) The City may enforce the restrictions set forth in the declaration of covenant provided in the Surface Water Design Manual.
- (3) Prior to the issuance of any of the permits and/or approvals for the project or the release of financial guarantees posted to guarantee satisfactory completion, the person or persons holding title to the subject property for which a drainage facility was required shall pay a fee established by the director as set forth in the City resolution to reasonably compensate the City for costs relating to inspection of the facility to ensure that it has been constructed according to plan and applicable specifications and standards.
- (4) The duties specified in this section with regard to payment of inspection fees and reimbursement of maintenance costs shall be enforced against the person or persons holding title to the property for which the drainage facility was required.
- (5) Where not specifically defined in this section, the responsibility for performance, operation and maintenance of drainage facilities and conveyance systems, both natural and constructed, shall be determined on a case-by-case basis. In any such case-by-case analyses, the City shall only be responsible for the performance, operation and maintenance of drainage facilities and conveyance systems if a determination is first made pursuant to the criteria set forth in SMC 13.20.090(2) as now in effect or as may be subsequently amended. (Ord. O2017-432 § 1 (Att. A); Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.110 Hazards. [□] SHARE **□** SHARE

Whenever the director determines that any existing construction site, erosion and sedimentation problem and/or drainage facility poses a hazard to life and limb, endangers any property, and/or adversely affects the

condition or capacity of other drainage facilities, the safety and operation of City right-of-way, utilities, and/or other property owned or maintained by the City, the applicant/person to whom the permit was issued pursuant to this chapter, the owner of the property within which the drainage facility is located, the applicant/person responsible for maintenance of the facility, and/or other person or agent in control of said property, upon receipt of notice in writing from the director, shall within the period specified therein repair or otherwise address the cause of the hazardous situation in conformance with the requirements of this chapter.

Should the director have reasonable cause to believe that the situation is so adverse as to preclude written notice, the director may take the measures necessary to eliminate the hazardous situation; provided, that the director shall first make a reasonable effort to locate the owner before acting. In such instances the applicant of whom a drainage plan was required pursuant to this chapter, the owner of the property and/or the person responsible for the maintenance of the facility shall be obligated for the payment of all costs incurred. If costs are incurred and a financial guarantee pursuant to this chapter or other City requirement has been posted, the director shall have the authority to collect against the financial guarantee to cover costs incurred. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.120 Administration. SHARE SHARE

- (1) Administration.
 - (a) The director is authorized to promulgate and adopt administrative rules under the procedures specified in Chapter <u>2.55</u> SMC, for the purpose of implementing and enforcing the provisions of this chapter. Adopted administrative rules are available to the public from the department of public works. This includes, but is not limited to, the Surface Water Design Manual.
 - (b) The director is authorized to develop procedures for applying adopted rules and regulations during the review of permit applications for the development of land. These procedures may also be contained in the Surface Water Design Manual.
- (2) Inspections. The director is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.
- (3) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, monitor for proper function of drainage facilities or whenever the director has reasonable cause to believe that violations of this chapter are present or operating on a subject property or portion thereof, the director may

enter such premises at all reasonable times to inspect the same or perform any duty imposed upon the director by this chapter; provided, that if such premises or portion thereof is occupied, the director shall first make a reasonable effort to locate the owner or other person having charge or control of the premises or portion thereof and demand entry.

(4) Access. Proper ingress and egress shall be provided to the director to inspect, monitor or perform any duty imposed upon the director by this chapter. The director shall notify the responsible party in writing of failure to comply with this access requirement. Failing to obtain a response within seven days from the receipt of notification, the director may order the work required completed or otherwise address the cause of improper access. The obligation for the payment of all costs that may be incurred or expended by the City in causing such work to be done shall thereby be imposed on the person holding title to the subject property. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.130 Enforcement. SHARE SHARE

The City is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of SMC Title 23. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.140 Implementation, review and revision. Constant Share 13.20.140 Implementation, review and revision.

The department may administer a training program for users of the Surface Water Design Manual. The department may also conduct an ongoing research program to evaluate the effectiveness of the requirements in meeting the purpose of this chapter. This research program may examine, but not be limited to, hydrologic and hydraulic analysis methods, stream geomorphologic analysis methods, water quality, best management practices and erosion and sediment control measures. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.150 Severability. SHARE SHARE

If any provision of this chapter or its application to any person or property is held invalid, the remainder of the chapter or the application of the provision to other persons or property shall not be affected. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

Chapter 13.30 WATER QUALITY

Sections:

| 13.30.010 | Purpose. |
|-----------|---|
| 13.30.020 | Discharges into waters. |
| 13.30.030 | Stormwater Pollution Prevention Manual. |
| 13.30.040 | Enforcement. |
| 13.30.050 | Hazards. |
| 13.30.060 | Criminal penalty. |
| 13.30.070 | Civil penalties for water quality. |
| 13.30.080 | Construction – Intent. |

13.30.010 Purpose. SHARE SHARE

The purpose of this chapter is to protect the City's surface and groundwater quality by providing minimum requirements for reducing and controlling the discharge of contaminants. The City council recognizes that water quality degradation can result either directly from one discharge or through the collective impact of many small discharges. Therefore, this chapter prohibits the discharge of contaminants into surface and stormwater and groundwater, and outlines preventive measures to restrict contaminants from entering such waters. These measures include the implementation of best management practices (BMPs) by the residents of the City of Sammamish.

The City council finds this chapter is necessary to protect the health, safety and welfare of the residents of Sammamish and the integrity of the City's resources for the benefit of all by: minimizing or eliminating water quality degradation; preserving and enhancing the suitability of waters for recreation, fishing, and other beneficial uses; and preserving and enhancing the aesthetic quality and biotic integrity of the water. The City council recognizes that implementation of this chapter is required under the federal Clean Water Act, 33 U.S.C. 1251 et seq. In meeting the intent of the Clean Water Act the City council also recognizes the importance of maintaining economic viability while providing necessary environmental protection and believes this chapter helps achieve both goals. (Ord. O2011-304 § 1 (Att. A))

13.30.020 Discharges into waters. SHARE SHARE

(1)(a) It is unlawful for any person to discharge any contaminants into surface and stormwater, groundwater or Puget Sound. Contaminants include, but are not limited to, the following:

| (i) Trash or debris; |
|---|
| (ii) Construction materials; |
| (iii) Petroleum products including but not limited to oil, gasoline, grease, fuel oil, heating oil; |
| (iv) Antifreeze and other automotive products; |
| (v) Metals in either particulate or dissolved form; |
| (vi) Flammable or explosive materials; |
| (vii) Radioactive material; |
| (viii) Batteries; |
| (ix) Acids, alkalis, or bases; |
| (x) Paints, stains, resins, lacquers or varnishes; |
| (xi) Degreasers and solvents; |
| (xii) Drain cleaners; |
| (xiii) Pesticides, herbicides or fertilizers; |
| (xiv) Steam cleaning wastes; |
| (xv) Soaps, detergents or ammonia; |
| (xvi) Swimming pool backwash; |
| (xvii) Chlorine, bromine and other disinfectants; |
| (xviii) Heated water; |
| (xix) Domestic animal wastes; |
| (xx) Sewage; |

| (xxi) Recreational vehicle waste; | | |
|---|--|--|
| (xxii) Animal carcasses; | | |
| (xxiii) Food wastes; | | |
| (xxiv) Bark and other fibrous materials; | | |
| (xxv) Collected lawn clippings, leaves or branches; | | |
| (xxvi) Silt, sediment or gravel; | | |
| (xxvii) Dyes, except as stated in subsection (4)(a) of this section; | | |
| (xxviii) Chemicals not normally found in uncontaminated water; | | |
| (xxix) Any hazardous material or waste not listed above. | | |
| (b) Illicit Connections. Any connection identified by the director that could convey anything not | | |
| composed entirely of surface and stormwater directly to surface and stormwater or groundwater | | |
| is considered an illicit connection and is prohibited with the following exceptions: | | |
| (i) Connections conveying allowable discharges; | | |
| (ii) Connections conveying discharges pursuant to an NPDES permit, other than an | | |
| NPDES stormwater permit, or a State Waste Discharge Permit; and | | |
| (iii) Connections conveying effluent from on-site sewage disposal systems to subsurface soils. | | |
| (2) BMPs shall be applied to any business or residential activity that might result in prohibited discharges as | | |
| specified in the Stormwater Pollution Prevention Manual or as determined necessary by the director. Activities | | |
| that might result in prohibited discharges include but are not limited to the following: | | |
| (a) Potable water line flushing; | | |
| (b) Lawn watering with potable water; | | |
| (c) Dust control with potable water; | | |

- (d) Automobile and boat washing;
 (e) Pavement and building washing;
 (f) Swimming pool and hot tub maintenance;
 (g) Auto repair and maintenance;
 (h) Building repair and maintenance;
 (i) Landscape maintenance;
 (j) Hazardous waste handling;
 (k) Solid and food waste handling; and
- (3) The following types of discharges shall not be considered prohibited discharges for the purpose of this chapter unless the director determines that the type of discharge, whether singly or in combination with other discharges, is causing significant contamination of surface and stormwater or groundwater:
 - a) Diverted stream flows

(I) Application of pesticides.

- b) Rising ground waters
- c) Uncontaminated ground water infiltration other than wastewater that enters a sewer system (including sewer service connections and foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes.
- d) Uncontaminated pumped ground water
- e) Foundation drains
- f) Air conditioning condensation
- g) Irrigation water from agricultural sources that is commingled with urban stormwater
- h) Springs
- i) Uncontaminated water from crawl space pumps
- j) Footing drains
- k) Flows from riparian habitats and wetlands
- I) Non-stormwater discharges authorized by another NPDES or state waste discharge permit

- m) Discharges from emergency fire fighting activities in accordance with Washington State
 Department of Ecology NPDES Permit Authorized Discharges
- n) Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.
- Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through water conservation efforts.
- p) Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
- q) Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. These discharges shall minimize the amount of street wash and dust control water used.
- r) Other non-stormwater discharges. The discharges shall be in compliance with the requirements of a pollution prevention plan reviewed by the City, which addresses control of such discharges.
- (4)(a) Dye testing is allowable but requires verbal notification to the City at least one day prior to the date of test. The City is exempt from this requirement.
 - (b) A person does not violate subsection (1) of this section if:
 - (i) That person has properly designed, constructed, implemented and is maintaining BMPs and is carrying out AKART as required by this chapter, but contaminants continue to enter surface and stormwater or groundwater; or
 - (ii) That person can demonstrate that there are no additional contaminants being discharged from the site above the background conditions of the water entering the site.
 - (c) A person who, under subsection (4)(b) of this section, is not in violation of subsection (1) of this section is liable for any prohibited discharges through illicit connections, dumping, spills,

improper maintenance of BMPs or other discharges that allow contaminants to enter surface and stormwater or groundwater.

(d) Emergency response activities or other actions that must be undertaken immediately or within a time too short to allow full compliance with this chapter in order to avoid an imminent threat to public health or safety shall be exempt from this section. The director by public rule may specify actions that qualify for this exception in City procedures. A person undertaking emergency response activities shall take steps to ensure that the discharges resulting from such activities are minimized. In addition, this person shall evaluate BMPs and the site plan, where applicable, to restrict recurrence. (Ord. O2011-304 § 1 (Att. A))

13.30.030 Stormwater Pollution Prevention Manual. SHARE SHARE

- (1) Compliance with this chapter shall be achieved through the use of the best management practices described in the Stormwater Pollution Prevention Manual in effect on May 24, 2011 (effective date of the ordinance codified in this chapter). In applying the Stormwater Pollution Prevention Manual, the director shall first require the implementation of source control BMPs. If these are not sufficient to prevent contaminants from entering surface and stormwater or groundwater, the director may require implementation of treatment BMPs as set forth in AKART. The City will provide, upon reasonable request, available technical assistance materials and information, and information on outside financial assistance options to persons required to comply with this chapter.
- (2) In applying the Stormwater Pollution Prevention Manual to prohibited discharges from normal single-family residential activities, the director shall use public education and warnings as the primary method of gaining compliance with this chapter and shall not use citations, notice and orders, assessment of civil penalties and fines, or other compliance actions as authorized in SMC Title 23, unless the director determines:
 - (a) The discharge from a normal single-family residential activity, whether singly or in combination with other discharges, is causing a significant contribution of contaminants to surface and stormwater or groundwater; or
 - (b) The discharge from a normal single-family residential activity poses a hazard to the public health, safety or welfare, endangers any property or adversely affects the safety and operation of City right-of-way, utilities or other City-owned or maintained property.

- (3) Persons implementing BMPs through another federal, state or local program will not be required to implement the BMPs prescribed in the City's Stormwater Pollution Prevention Manual, unless the director determines the alternative BMPs are ineffective at reducing the discharge of contaminants. If the other program requires the development of a stormwater pollution prevention plan or other best management practices plan, the person shall make the plan available to the City upon request. Persons who qualify for exemptions include, but are not limited to, persons:
 - (a) Required to obtain a general or individual NPDES permit from the Washington State Department of Ecology;
 - (b) Implementing and maintaining, as scheduled, a King Conservation District-approved farm management plan;
 - (c) Implementing BMPs in compliance with the management program of the City's municipal NPDES permit;
 - (d) Engaged in forest practices, with the exception of forest practices occurring on lands platted after January 1, 1960, or on lands being converted to another use or when regulatory authority is otherwise provided to local government by RCW 76.09.240; or
 - (e) Identified by the director as being exempt from this section. (Ord. O2011-304 § 1 (Att. A))

13.30.040 Enforcement. SHARE SHARE

- (1) The director is authorized to carry out enforcement actions pursuant to the enforcement and penalty provisions of SMC Title 23 and other enforcement provisions adopted by rule under the procedures of Chapter 2.55 SMC.
- (2) The director shall gain compliance with this chapter by requiring the implementation of operational and/or source control BMPs. Source control BMPs are in Volume IV of the *Stormwater Management Manual for Western Washington*. The director may also require maintenance of stormwater facilities which discharge into the MS4 in accordance with maintenance standards established in the Surface Water Design Manual. The director shall initially rely on education and informational assistance as much as possible to gain compliance with this chapter, unless the director determines a violation is a result of a flagrant act that should be addressed through immediate penalties or poses a hazard as defined in the hazards section (SMC 13.30.050).

- (3) The director, in consultation with other departments of the City government, shall develop and implement additional enforcement procedures. These procedures shall indicate how the City will investigate and respond to reports or instances of noncompliance with this chapter and shall identify by title the official(s) responsible for implementing the enforcement procedures.
- (4) The director is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter. Such inspections shall be made in accordance with SMC Title <u>23</u>.
 - (a) The director may observe best management practices or examine or sample surface and stormwater or groundwater as often as may be necessary to determine compliance with this chapter. Whenever an inspection of a property is made, the findings shall be recorded and a copy of the inspection findings shall be furnished to the owner or the person in charge of the property after the conclusion of the investigation and completion of the inspection findings.
 - (b) When the director has made a determination under subsection (4)(a) of this section that any person is violating this chapter, the director may require the violator to sample and analyze any discharge, surface and stormwater, groundwater, and/or sediment, in accordance with sampling and analytical procedures or requirements determined by the director. If the violator is required to complete this sampling and analysis, a copy of the analysis shall be provided to the City of Sammamish department of public works.
- (5) In addition to any other penalty or method of enforcement, the prosecuting attorney may bring actions for injunctive or other relief to enforce this chapter. (Ord. O2011-304 § 1 (Att. A))

13.30.050 Hazards. SHARE SHARE

Whenever the director determines that any violation of this chapter poses a hazard to public health, safety, or welfare; endangers any property; or adversely affects the safety and operation of City right-of-way, utilities, and/or other property owned or maintained by the City; the person holding title to the subject property, and/or other person or agent in control of said property, upon receipt of notice in writing from the director shall within the period specified therein address the cause of the hazardous situation in conformance with the requirements of this chapter.

Notwithstanding any other provisions of this chapter, whenever it appears to the director that conditions covered by this chapter exist requiring immediate action to protect the public health and/or safety, the director is authorized to enter at all times in or upon any such property, public or private, for the purpose of inspecting

and investigating such emergency conditions. The director may without prior notice order the immediate discontinuance of any activity leading to the emergency condition. Failure to comply with such order shall constitute a misdemeanor as specified in SMC Title 23. (Ord. O2011-304 § 1 (Att. A))

13.30.060 Criminal penalty. SHARE SHARE

Any willful violation of an order issued pursuant to SMC <u>13.30.040</u> or <u>13.30.050</u> for which a criminal penalty is not prescribed by state law is a misdemeanor. (Ord. O2011-304 § 1 (Att. A))

13.30.070 Civil penalties for water quality. SHARE SHARE

The enforcement provisions for water quality are intended to encourage compliance with this chapter. To achieve this, violators will be required to take corrective action and comply with the requirements of this chapter, and may be required to pay a civil penalty for the redress of ecological, recreational, and economic values lost or damaged due to their unlawful action.

- (1) The provisions in this section are in addition to and not in lieu of any other penalty, sanction or right of action provided by law.
- (2) Any person in violation of this chapter shall be subject to civil penalties assessed as follows:
 - (a) An amount reasonably determined by the director to be equivalent to the economic benefit the violator derives from the violation as measured by: the greater of the resulting increase in market value of the property or business value received by the violator, or savings of construction or retrofitting costs realized by the violator performing any act in violation of this chapter; and
 - (b) An amount, not to exceed \$25,000, that is reasonably based upon the nature and gravity of the violation and the cost to the City of enforcing this chapter against the violator.
- (3) Any person who, through an act of commission or omission, aids or abets in a violation shall be considered to have committed the violation for the purposes of the civil penalty.
- (4) Each violator is jointly and severally liable for a violation of this chapter. The director may take enforcement action, in whole or in part, against any violator. The decisions whether to take enforcement action, what type of action to take, and which person to take action against, are all entirely within the director's discretion. Factors to be used in taking such enforcement actions shall be:

- (a) Awareness of the violation;
- (b) Ability to correct the violation;
- (c) Cooperation with government agencies;
- (d) Degree of impact or potential threat to water or sediment quality, human health, or the environment.

In the event more than one person is determined to have violated the provisions of this chapter, all applicable civil penalties may be imposed against each person, and recoverable damages, costs, and expenses may be allocated among the persons on any equitable basis. Factors that may be considered in determining an equitable allocation include:

- (e) Awareness of the violation;
- (f) Ability to correct the violation;
- (g) Ability to pay damages, costs, and expenses;
- (h) Cooperation with government agencies;
- (i) Degree of impact or potential threat to water or sediment quality, human health, or the environment.
- (5) The director or the director's designee may engage in mitigation discussions with the violator. The director or the director's designee may reduce the penalties based upon one or more of the following mitigating factors:
 - (a) The person responded to City attempts to contact the person and cooperated with efforts to correct the violation;
 - (b) The person showed due diligence and/or substantial progress in correcting the violation; or
 - (c) An unknown person was the primary cause of the violation.

Payment of a monetary penalty pursuant to this chapter does not relieve the person of the duty to correct the violation. (Ord. O2011-304 § 1 (Att. A))

13.30.080 Construction – Intent. SHARE SHARE

This chapter is enacted as an exercise of the City's power to protect and preserve the public health, safety and welfare. Its provision shall be exempted from the rule of strict construction and shall be liberally construed to give full effect to the objectives and purposes for which it was enacted. This chapter is not enacted to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

The primary obligation of compliance with this chapter is placed upon the person holding title to the property. Nothing contained in this chapter is intended to be or shall be construed to create or form a basis for liability for the City, the department, its officers, employees or agents for any injury or damage resulting from the failure of the person holding title to the property to comply with the provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter by the City, department, its officers, employees or agents. (Ord. O2011-304 § 1 (Att. A))

Title 21A DEVELOPMENT CODE

21A.15.255 Critical drainage area. SHARE SHARE

"Critical drainage area" means an area that requires more restrictive regulation than City standards afford in order to mitigate severe flooding, drainage, erosion, or sedimentation problems that result from the cumulative impacts of development and urbanization. Critical drainage areas include areas that drain to Pine Lake and Beaver Lake and all landslide hazard drainage areas. (Ord. O2016-429 § 2 (Att. B); Ord. O2013-350 § 1 (Att. A); Ord. O2003-132 § 10)

CITY OF SAMMAMISH SAMMAMISH ADDENDUM TO THE 2016 KING COUNTY SURFACE WATER DESIGN MANUAL

CHAPTER 1 – Drainage Review and Requirements

- Section 1.1.1 PROJECTS REQUIRING DRAINAGE REVIEW (page 1-12 of the 2016 KCSWDM) Replace the "King County Permits and Approvals" table with the following table and adding new numbers 7 and 8.
 - 7. Projects as listed in SMC 13.20.020.

Chapter 13.10 DEFINITIONS

Sections:

| • | 30110110. | |
|---|------------------|--|
| | <u>13.10.010</u> | Scope of chapter. |
| | 13.10.020 | Adjustment. |
| | 13.10.030 | AKART. |
| | 13.10.040 | Applicant. |
| | <u>13.10.050</u> | Basin. |
| | <u>13.10.060</u> | Basin plan. |
| | <u>13.10.070</u> | Best management practices. |
| | 13.10.080 | City. |
| | 13.10.090 | Closed depression. |
| | <u>13.10.100</u> | Clean Water Act. |
| | <u>13.10.110</u> | Construct or modify. |
| | <u>13.10.120</u> | Conveyance system. |
| | <u>13.10.130</u> | Department. |
| | <u>13.10.140</u> | Development. |
| | <u>13.10.150</u> | Developed parcel. |
| | <u>13.10.160</u> | Director. |
| | <u>13.10.170</u> | Division. |
| | <u>13.10.180</u> | Discharge. |
| | <u>13.10.190</u> | Drainage. |
| | <u>13.10.200</u> | Drainage facility. |
| | <u>13.10.210</u> | Drainage review. |
| | <u>13.10.220</u> | Effective impervious surface. |
| | <u>13.10.230</u> | Erosion and sediment control. |
| | <u>13.10.240</u> | Farm management plan. |
| | <u>13.10.250</u> | Financial guarantee. |
| | <u>13.10.260</u> | Flood hazard reduction plan. |
| | <u>13.10.270</u> | Flow control best management practice. |
| | <u>13.10.280</u> | Flow control facility. |
| | 13.10.290 | Forest practices. |

13.10.300 Full drainage review.

| <u>13.10.310</u> | Groundwater. |
|------------------|---|
| 13.10.320 | High-use site. |
| 13.10.330 | Hydraulically connected. |
| 13.10.340 | Impervious surface. |
| <u>13.10.350</u> | Improvement. |
| <u>13.10.360</u> | Land disturbing activity. |
| <u>13.10.370</u> | Land use code. |
| <u>13.10.380</u> | Lake management plan. |
| <u>13.10.390</u> | Large project drainage review. |
| <u>13.10.400</u> | Licensed civil engineer. |
| <u>13.10.410</u> | Maintenance. |
| <u>13.10.420</u> | Master drainage plan. |
| 13.10.421 | Municipal Separate Storm Sewer Systems (MS4) |
| <u>13.10.430</u> | National Pollutant Discharge Elimination System. |
| <u>13.10.440</u> | National Pollutant Discharge Elimination System permit. |
| <u>13.10.450</u> | Native vegetated surface. |
| <u>13.10.460</u> | Natural discharge location. |
| <u>13.10.470</u> | Natural surface water drainage system. |
| <u>13.10.480</u> | New impervious surface. |
| <u>13.10.490</u> | New pervious surface. |
| <u>13.10.500</u> | Open space. |
| <u>13.10.510</u> | Parcel. |
| <u>13.10.520</u> | Person. |
| <u>13.10.525</u> | Pervious surface. |
| <u>13.10.530</u> | Pollution-generating impervious surface. |
| <u>13.10.540</u> | Pollution-generating pervious surface. |
| <u>13.10.550</u> | Project. |
| <u>13.10.560</u> | Project site. |
| <u>13.10.570</u> | Rate category. |
| <u>13.10.580</u> | Redevelopment project. |
| <u>13.10.590</u> | Replaced impervious surface. |
| <u>13.10.600</u> | Residence. |
| 13.10.610 | Residential parcel. |

13.10.620 Runoff. 13.10.630 Salmon conservation plan. 13.10.640 Shared facility. 13.10.650 Service area. 13.10.655 Simplified drainage review. 13.10.660 Site. 13.10.670 Repealed. 13.10.680 Source control BMP. 13.10.690 State Waste Discharge Permit. 13.10.700 Stormwater compliance plan. <u>13.10.710</u> Stormwater plan. 13.10.720 Stormwater Pollution Prevention Manual. 13.10.730 Subbasin. 13.10.740 Surface and stormwater. 13.10.750 Surface and stormwater management services. 13.10.760 Surface and stormwater management system. 13.10.770 Surface Water Design Manual. 13.10.780 Surface water management fee protocols. 13.10.790 Treatment BMP. 13.10.800 Targeted drainage review. 13.10.810 Undeveloped parcel. 13.10.820 Water quality facility.

13.10.421 Municipal Separate Storm Sewer Systems. SHARE SHARE

"Municipal Separate Storm Sewer Systems" or "MS4" is a conveyance or system of conveyances that is owned by the City of Sammamish that discharges to waters of the U.S., designed or used to collect or convey stormwater (e.g., storm drains, pipes, ditches), not a combined sewer, and not part of a sewage treatment plant, or publicly owned treatment works.

Chapter 13.20 SURFACE WATER RUNOFF REGULATIONS

Sections:

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|------------------|--|
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| 13.20.040 | Critical drainage and/or critical erosion areas. |
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| <u>13.20.110</u> | Hazards. |
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| | |

13.20.010 Purpose. SHARE ■ MINING

The purpose of this chapter is to promote the public health, safety and welfare by providing for the comprehensive management of surface and stormwaters and erosion control, especially that which preserves and utilizes the many values of the City's natural drainage system including open space, fish and wildlife habitat, recreation, and education. By conducting programs to reduce flooding, erosion, and sedimentation; prevent and mitigate habitat loss; enhance groundwater recharge; and prevent water quality degradation through the implementation of comprehensive and thorough permit review, construction inspection, enforcement, and maintenance, the effectiveness of the requirements contained in this chapter will be promoted. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.020 Drainage review – When required – Type. SHARE SHARE

- (1) Drainage review is required when any proposed project is subject to a City of Sammamish development permit or approval and:
 - (a) Would result in 2,000 square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface; or:
 - (i) Would result in 500 square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface within an historic plat as defined and mapped in Attachment B at the end of this section; or
 - (ii) Would result in 500 square feet or more of new impervious surface within a landslide hazard drainage area as defined in the adopted Sammamish Addendum to the Surface Water Design Manual; or
 - (b) Would involve 7,000 square feet or more of land disturbing activity; or
 - (c) Would construct or modify a drainage pipe or ditch that is 12 inches or more in size or depth or receives surface and stormwater runoff from a drainage pipe or ditch that is 12 inches or more in size or depth; or
 - (d) Contains or is adjacent to a flood hazard area as defined in SMC Title 15 or 21A; or
 - (e) Would result in the conversion of 1,000 square feet or more of pervious surface to impervious surface when les located within a critical drainage area; or
 - (f) Is a redevelopment project proposing \$100,000 or more of improvements to an existing highuse site.
- (2) The drainage review for any proposed project shall be scaled to the scope of the project's size, type of development and potential for impacts to the regional surface water system to facilitate preparation and review of project applications. If drainage review for a proposed project is required under subsection (1) of this section, the City shall determine which of the following drainage reviews apply as specified in the Surface Water Design Manual:
 - (a) Simplified drainage review;
 - (b) Targeted drainage review;

- (c) Directed drainage review;
- (d) Full drainage review; or
- (e) Large project drainage review.

(Ord. O2016-428 § 5 (Att. C); Ord. O2015-389 § 1 (Att. A); Ord. O2011-304 § 1 (Att. A))

13.20.030 Drainage review - Requirements. [3 SHARE [5] SHARE [5] SHARE [5]

- (1) A proposed project required to have drainage review by this chapter must meet each of the following cCore rRequirements which are described in detail in the Surface Water Design Manual and as amended by the Sammamish Addendum to the Surface Water Design Manual. : Projects subject only to simplified drainage review that meet the simplified drainage requirements specified in the Surface Water Design Manual, including flow control best management practices, erosion and sediment control measures and drainage plan submittal requirements are deemed to comply with the following core requirements:
 - (a) Core Requirement 1 Discharge at the Natural Location. All surface and stormwater runoff from a project shall be discharged at the natural location so as not to be diverted onto, or away from, downstream properties. The manner in which runoff is discharged from the project site shall not create a significant adverse impact to downhill properties or drainage systems as specified in the discharge requirements of the Surface Water Design Manual;
 - (b) Core Requirement 2 Off-Site Analysis. The initial application submittal for proposed projects shall include an off-site analysis report that assesses potential off-site drainage and water quality impacts associated with development of the proposed site and proposes appropriate mitigations to those impacts. This initial submittal shall include, at minimum, a level one downstream analysis as described in the Surface Water Design Manual. If impacts are identified, the proposed projects shall meet any applicable problem-specific requirements as specified in the Surface Water Design Manual;
 - (c) Core Requirement 3 Flow Control. Proposed projects that would result in 5,000 square feet or more of new plus replaced impervious surface or three quarters acre or more of new pervious surface shall provide flow control facilities or flow control BMPs, or both, to control surface and stormwater runoff generated by new impervious surface, new pervious surface, replaced impervious surface and any existing impervious surface added on or after January 8, 2001, as specified in the Surface Water Design Manual. Flow control facilities shall meet the area specific

flow control facility requirements and the flow control facility implementation requirements applicable to the project site as specified in the Surface Water Design Manual. Flow control BMPs shall also be applied as specified in the Surface Water Design Manual. Projects subject to area specific flow control facility requirements shall meet one of the flow control facility performance criteria listed in subsections (1)(c)(i) and (ii) of this section, as directed by the Surface Water Design Manual. The Inglewood, Thompson and Pine Lake Creek basins, and areas draining to the Beaver Lake basin, require level three flow control. The remainder of the City requires level two flow control unless downstream problems, as determined by the City of Sammamish, dictate the higher level of protection of level three flow control.

- (i) Level two shall meet level one criteria and also match the predeveloped site's discharge durations for the predeveloped peak discharge rates between the 50 percent of the two-year peak flow through the 50 year peak flow; or
- (ii) Level three shall meet level two criteria and also match the predeveloped site's peak discharge rate for the 100 year return period;
- (d) Core Requirement 4 Conveyance System. All engineered conveyance system elements for proposed projects shall be analyzed, designed and constructed to provide the minimum level of protection against overtopping, flooding, erosion and structural failure as specified by the conveyance requirements for new and existing systems and conveyance implementation requirements described in the Surface Water Design Manual;
- (e) Core Requirement 5 Erosion and Sediment Control. All proposed projects that will clear, grade or otherwise disturb the site shall provide erosion and sediment control that prevents, to the maximum extent practicable, the transport of sediment from the site to drainage facilities, water resources and adjacent properties. Erosion and sediment controls shall be applied in accordance with SMC Title 16 as specified by the temporary erosion and sediment control measures and performance criteria and implementation requirements in the City of Sammamish Surface Water Design Manual;
- (f) Core Requirement 6 Maintenance and Operation. Maintenance of all drainage facilities in compliance with Sammamish maintenance standards is the responsibility of the applicant or property owner as described in the Surface Water Design Manual, except those facilities for

which Sammamish assumes maintenance and operation as described in this chapter and the Surface Water Design Manual;

- (g) Core Requirement 7 Financial Guarantees and Liability. All drainage facilities constructed or modified for projects, except downspout infiltration and dispersion systems for single-family residential lots, must comply with the liability requirements of this chapter and the financial guarantee requirements of SMC Title 27A;
- (h) Core Requirement 8 Water Quality. Proposed projects that would result in 5,000 square feet or more of new plus replaced pollution-generating impervious surface or three quarters acre or more of new pollution-generating pervious surface shall provide water quality treatment facilities to treat polluted surface and stormwater runoff generated by new or replaced pollutiongenerating impervious surface, new pollution generating pervious surface and any existing pollution generating impervious surface added on or after January 8, 2001, as specified in the Surface Water Design Manual. However, pervious surfaces are specifically excluded if there is a good faith agreement with the King Conservation District to implement a farm management plan for agricultural uses, and pervious areas for other uses are specifically excluded if the City of Sammamish approves a landscape management plan that controls pesticides and fertilizers leaving the site. Water quality treatment facilities shall meet the area-specific water quality treatment requirements and the water quality implementation requirements applicable to the project site as specified in the Surface Water Design Manual. The facilities specified by these requirements are designed to reduce pollutant loads according to the applicable annual average performance goals listed in subsections (1)(h)(i) through (iv) of this section for 95 percent of the annual average runoff volume:
 - (i) For basic water quality: remove 80 percent of the total suspended solids;
 - (ii) For enhanced basic water quality: remove 50 percent of the total zinc;
 - (iii) For sensitive lake protection: remove 50 percent of the total phosphorus; and
 - (iv) For sphagnum bog protection: remove 50 percent of the total phosphorus and 40 percent of the total nitrate plus nitrite. The discharge shall maintain a pH of less than 6.5 and an alkalinity of less than 10 milligrams per liter;

- (i) Core Requirement 9 Flow Control BMPs. Proposed projects that would result in 2,000 square feet or more of new plus replaced impervious surface or 7,000 square feet or more of land disturbing activity shall provide on site flow control BMPs to mitigate the impacts of surface and stormwater runoff generated by new impervious surface, new pervious surface, existing impervious surfaces, and replaced impervious surface targeted for mitigation as specified in the Surface Water Design Manual.
- (2) A proposed project required by this chapter to have drainage review shall meet any of the following sSpecial requirements which apply to the site and which are described in detail in the Surface Water Design Manual.

 The City shall verify if a proposed project is subject to and must meet any of the following special requirements.
 - (a) Special Requirement 1—Other Adopted Area Specific Requirements. If a proposed project is in a designated critical drainage area, or is in an area included in an adopted master drainage plan, basin plan, salmon conservation plan, stormwater compliance plan, flood hazard reduction plan, lake management plan or shared facility plan, then the proposed project shall meet the applicable drainage requirements of the critical drainage area, master drainage plan, basin plan, salmon conservation plan, stormwater compliance plan, flood hazard reduction plan, lake management plan or shared facility plan;
 - (b) Special Requirement 2 Floodplain/Floodway Delineation. If a proposed project contains or is adjacent to a stream, lake, wetland or closed depression, or if other City regulations require study of flood hazards relating to the proposed project, the 100-year floodplain boundaries and floodway shall be determined and delineated on the site improvement plans and profiles and any final maps prepared for the proposed project. The flood hazard study shall be prepared for as specified in the Surface Water Design Manual;
 - (c) Special Requirement 3 Flood Protection Facilities. If a proposed project contains or is adjacent to a stream that has an existing flood protection facility, such as a levee, revetment or berm, or proposes to either construct a new or modify an existing flood protection facility, then the flood protection facilities shall be analyzed and designed as specified in the Surface Water Design Manual to conform with the Federal Emergency Management Agency regulations as found in 44 C.F.R.;
 - (d) Special Requirement 4 Source Control. If a proposed project requires a commercial building or commercial site development permit, then water quality source controls shall be

applied to prevent rainfall and runoff from coming into contact with pollutants to the maximum extent practicable. Water quality source controls shall be applied in accordance with this chapter, the Stormwater Pollution Prevention Manual and the Surface Water Design Manual. All structural source controls shall be identified on the site improvement plans and profiles or final maps prepared for the proposed project; and

- (e) Special Requirement 5 Oil Control. If a proposed project is a high-use site or is a redevelopment project proposing \$100,000 or more of improvements to an existing high-use site, then oil control shall be applied to all runoff from the high-use portion of the site as specified in the Surface Water Design Manual.
- (3)(a) An adjustment to the requirements contained in this section or other requirements in the Surface Water Design Manual may be proposed in accordance to the terms and conditions for Drainage Adjustment in the Surface Water Design Manual. The resulting development shall be subject to all of the remaining terms and conditions of this chapter and the adjustment shall:
 - (i) Produce a compensating or comparable result in the public interest; and
 - (ii) Meet this chapter's objectives of safety, function, appearance, environmental protection and maintainability based upon sound engineering judgment.
 - (b) If complying with subsection (3)(a)(i) of this section will deny all reasonable use of a property, the best practicable alternative shall be obtained as determined by the director according to the adjustment process defined in the Surface Water Design Manual.
 - (c) Requests for adjustments that may conflict with any other City requirement shall require review and concurrence by the applicable City department.
 - (d) A request for an adjustment is a Type 1 land use decision as provided for in SMC Title 20 and shall be processed in accordance with the procedures specified in the Surface Water Design Manual.
 - (e) The City may require monitoring of experimental designs and technology or untested applications proposed by the applicant in order to determine compliance with subsection (3)(a) of this section and the approved plans and conditions.

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(f) An adjustment decision may be appealed by following the appeal procedures as specified in the Surface Water Design Manual. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

(4) Proposed projects shall include outreach and education materials to support the continued maintenance and operation of low impact development best management practices. Such materials shall include an on-site educational kiosk located in a high foot traffic area of the development, educational brochures and handouts, noticing on title, noticing on the final plat of maintenance and operations responsibility, and noticing in the Covenants, Conditions, and Restrictions, when any are applicable.

13.20.040 Critical drainage and/or critical erosion areas. SHARE

Development in areas where the department has determined that the existing flooding, drainage and/or erosion conditions present an imminent likelihood of harm to the welfare and safety of the surrounding community shall meet special drainage requirements set by the director until such time as the community hazard is alleviated. Such conditions may include the limitation of the volume of discharge from the subject property to predevelopment levels, preservation of wetlands or other natural drainage features or other controls necessary to protect against community hazard. Critical Drainage Areas are defined in Chapter 21A.15 SMC. Development proposed in critical drainage areas requiring drainage review shall not qualify for any exemptions or exceptions from Core Requirements 1, 2, 3, 4, 5, 8, or 9 core or special requirements in the Surface Water Design Manual unless approved by the director. Where alternate facility designs or methods will produce a compensating or comparable result in the public interest and which will meet this section's objectives of safety, function, appearance, environmental protection and maintainability, based upon sound engineering judgment, an adjustment to the special drainage requirements promulgated under this section may be proposed; provided, that the resulting development shall be subject to all of the remaining terms and conditions of this chapter. Where application of this section will deny all reasonable use of a property and a facility or design that produces a compensating or comparable result cannot be obtained, then an adjustment criterion exception may be approved in accordance to the process as required in the Surface Water Design Manual. This process includes, but is not limited to, legal noticing, public comment period, and reconsideration request. a best practicable alternative may be approved by the director according to the adjustment process defined in the Surface Water Design Manual. These standards are in addition to the applicable standards of Chapter 21A.50 SMC. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.050 Engineering plans for the purposes of drainage review. Contact State of the purposes of drainage review.

(1) These requirements are in addition to the submittal requirements established by Chapter 20.05 SMC.

- (a) All engineering plans shall be submitted to the City for review in accordance with the Surface Water Design Manual except those drainage plans developed by, or under the review of, the City of Sammamish department of public works for either surface and stormwater capital improvement, repair, maintenance or restoration projects or other linear government agency projects, such as roadways, railways, pipelines, utility lines and trails.
- (b) If engineering plans are returned for any reason, they shall be returned to the applicant.
- (c) All master drainage plans, if required, shall be submitted to the City for review in accordance with the specifications in the Surface Water Design Manual. The master drainage plan process should commence at the same time as the State Environmental Policy Act (SEPA) process.
- (d) Drainage plans not subject to review by the City under subsection (1)(a) of this section shall be reviewed by the department of public works in accordance with this chapter. Project applicability and compliance with this chapter shall be documented in writing and available for review.
- (2) The expiration time frames as specified in the Surface Water Design Manual shall apply to all permit and approval applications.
- (3) All plans shall be processed in accordance with the review procedures specified in the Surface Water Design Manual.
- (4) Submittal procedures, definitions and specifications for the required contents of engineering plans are presented in the Surface Water Design Manual. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.060 Construction timing and final approval. SHARE SHARE

- (1) No work related to permanent or temporary storm drainage control for a permitted development may proceed without the approval of the director.
- (2) Erosion and sediment control measures associated with both the interim and permanent drainage systems shall be:
 - (a) Constructed in accordance with the approved plan prior to any grading or land clearing other than that associated with an approved erosion and sediment control plan; and

- (b) Satisfactorily sequenced and maintained until all improvements, restoration, and landscaping associated with the permit and approvals for the project are completed and the potential for onsite erosion has passed.
- (3) The applicant shall have constructed and have in operation those portions of the drainage facilities necessary to accommodate the control of surface and stormwater runoff discharging from the site before the construction of any other improvements or buildings on the site, or in accordance with SMC Title 19A. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.070 Liability insurance required. SHARE IS SHARE

The applicant required to construct the drainage facility pursuant to this chapter shall maintain a combined single limit per occurrence liability policy in the amount established annually by the City, which shall name City as an additional insured and protect the City from liability relating to the construction or maintenance of the facility until construction approval or acceptance for maintenance, whichever is last. Proof of this required liability policy shall be provided to the director prior to commencing construction of any drainage facility. If this liability insurance is not kept in effect as required, the City may initiate enforcement action pursuant to SMC Title 23. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.080 Financial guarantees authorized. SHARE SHARE SYML.

The City is authorized to require all applicants issued permits or approvals under the provisions of this title to post financial guarantees consistent with the provisions of SMC Title <u>27A</u>. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.090 Drainage facilities accepted by Sammamish for maintenance.



- (1) The City is responsible for the maintenance, including performance and operation, of drainage facilities which have formally been accepted for maintenance by the director.
- (2) The City may assume maintenance of privately maintained drainage facilities only if (a) the City first determines that a clear public benefit will result, greater in scope than the public cost, from the use of public resources to participate wholly or partially in the maintenance of a private storm or surface water drainage system component, and (b) all of the following conditions have been met:
 - (a) All necessary easements or dedications entitling the City to properly maintain the drainage facility have been conveyed to the City;

| (b) The director has determined that the facility is in the dedicated public road right-of-way or |
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| that maintenance of the facility will contribute to protecting or improving the health, safety and |
| welfare of the community based upon review of the existence of or potential for: |
| (i) Flooding, |
| (ii) Downstream erosion, |
| (iii) Property damage due to improper function of the facility, |
| (iv) Safety hazard associated with the facility, |
| (v) Degradation of water quality or in-stream resources, or |
| (vi) Degradation to the general welfare of the community; and |
| (c) The director has declared in writing acceptance of maintenance responsibility by the City. |
| Copies of this document will be kept on file in the department of public works. |
| 3) The director may terminate the department's assumption of maintenance responsibilities in writing after |
| etermining that continued maintenance will not significantly contribute to protecting or improving the health, |
| afety and welfare of the community based upon review of the existence of or potential for: |
| (a) Flooding; |
| (b) Downstream erosion; |
| (c) Property damage due to improper function of the facility; |
| (d) Safety hazard associated with the facility; |
| (e) Degradation of water quality or in-stream resources; or |
| (f) Degradation to the general welfare of the community. |
| Copies of this document will be kept on file in the department of public works. |

(4) A drainage facility which does not meet the criteria of this section shall remain the responsibility of the applicant required to construct the facility and persons holding title to the property for which the facility was required. (Ord. O2017-432 § 1 (Att. A); Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.100 Drainage facilities not accepted by Sammamish for maintenance.



- (1) The person or persons holding title to the property and the applicant required to construct a drainage facility shall remain responsible for the facility's continual performance, operation and maintenance in accordance with the standards and requirements of the department and remain responsible for any liability as a result of these duties. This responsibility includes maintenance of a drainage facility which is:
 - (a) Under a maintenance guarantee or defect guarantee;
 - (b) A private road conveyance system;
 - (c) Released from all required financial guarantees prior to July 7, 1980;
 - (d) Located within and serving only one single-family residential lot;
 - (e) Located within and serving a multifamily or commercial site unless the facility is part of an approved shared facility plan;
 - (f) Located within or associated with a short subdivision or subdivision which handles runoff from an area of which less than two-thirds is designated for detached or townhouse dwelling units located on individual lots unless the facility is part of an approved shared facility plan;
 - (g) Previously terminated for assumption of maintenance responsibilities by the department in accordance with this chapter; or
 - (h) Not otherwise accepted by the City for maintenance.
- (2) Prior to the issuance of any of the permits for any multifamily or commercial project required to have a flow control or water quality treatment facility, the applicant shall record a declaration of covenant as specified in the Surface Water Design Manual. The restrictions set forth in such covenant shall include, but not be limited to, provisions for notice to the persons holding title to the property of a City determination that maintenance and/or repairs are necessary to the facility and a reasonable time limit in which such work is to be completed.

- (a) In the event that the titleholders do not effect such maintenance and/or repairs, the City may perform such work upon due notice. The titleholders are required to reimburse the City for any such work. The restrictions set forth in such covenant shall be included in any instrument of conveyance of the subject property and shall be recorded with the records and licensing services division of King County.
- (b) The City may enforce the restrictions set forth in the declaration of covenant provided in the Surface Water Design Manual.
- (3) Prior to the issuance of any of the permits and/or approvals for the project or the release of financial guarantees posted to guarantee satisfactory completion, the person or persons holding title to the subject property for which a drainage facility was required shall pay a fee established by the director as set forth in the City resolution to reasonably compensate the City for costs relating to inspection of the facility to ensure that it has been constructed according to plan and applicable specifications and standards.
- (4) The duties specified in this section with regard to payment of inspection fees and reimbursement of maintenance costs shall be enforced against the person or persons holding title to the property for which the drainage facility was required.
- (5) Where not specifically defined in this section, the responsibility for performance, operation and maintenance of drainage facilities and conveyance systems, both natural and constructed, shall be determined on a case-by-case basis. In any such case-by-case analyses, the City shall only be responsible for the performance, operation and maintenance of drainage facilities and conveyance systems if a determination is first made pursuant to the criteria set forth in SMC <u>13.20.090(2)</u> as now in effect or as may be subsequently amended. (Ord. O2017-432 § 1 (Att. A); Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.110 Hazards. [3 SHARE [3 9 22 ...]

Whenever the director determines that any existing construction site, erosion and sedimentation problem and/or drainage facility poses a hazard to life and limb, endangers any property, and/or adversely affects the condition or capacity of other drainage facilities, the safety and operation of City right-of-way, utilities, and/or other property owned or maintained by the City, the applicant/person to whom the permit was issued pursuant to this chapter, the owner of the property within which the drainage facility is located, the applicant/person responsible for maintenance of the facility, and/or other person or agent in control of said property, upon receipt of notice in writing from the director, shall within the period specified therein repair or otherwise address the cause of the hazardous situation in conformance with the requirements of this chapter.

Should the director have reasonable cause to believe that the situation is so adverse as to preclude written notice, the director may take the measures necessary to eliminate the hazardous situation; provided, that the director shall first make a reasonable effort to locate the owner before acting. In such instances the applicant of whom a drainage plan was required pursuant to this chapter, the owner of the property and/or the person responsible for the maintenance of the facility shall be obligated for the payment of all costs incurred. If costs are incurred and a financial guarantee pursuant to this chapter or other City requirement has been posted, the director shall have the authority to collect against the financial guarantee to cover costs incurred. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.120 Administration. SHARE



- (1) Administration.
 - (a) The director is authorized to promulgate and adopt administrative rules under the procedures specified in Chapter 2.55 SMC, for the purpose of implementing and enforcing the provisions of this chapter. Adopted administrative rules are available to the public from the department of public works. This includes, but is not limited to, the Surface Water Design Manual.
 - (b) The director is authorized to develop procedures for applying adopted rules and regulations during the review of permit applications for the development of land. These procedures may also be contained in the Surface Water Design Manual.
- (2) Inspections. The director is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.
- (3) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, monitor for proper function of drainage facilities or whenever the director has reasonable cause to believe that violations of this chapter are present or operating on a subject property or portion thereof, the director may enter such premises at all reasonable times to inspect the same or perform any duty imposed upon the director by this chapter; provided, that if such premises or portion thereof is occupied, the director shall first make a reasonable effort to locate the owner or other person having charge or control of the premises or portion thereof and demand entry.
- (4) Access. Proper ingress and egress shall be provided to the director to inspect, monitor or perform any duty imposed upon the director by this chapter. The director shall notify the responsible party in writing of failure to

comply with this access requirement. Failing to obtain a response within seven days from the receipt of notification, the director may order the work required completed or otherwise address the cause of improper access. The obligation for the payment of all costs that may be incurred or expended by the City in causing such work to be done shall thereby be imposed on the person holding title to the subject property. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.130 Enforcement. SHARE SHARE

The City is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of SMC Title 23. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.140 Implementation, review and revision. SHARE SHARE

The department may administer a training program for users of the Surface Water Design Manual. The department may also conduct an ongoing research program to evaluate the effectiveness of the requirements in meeting the purpose of this chapter. This research program may examine, but not be limited to, hydrologic and hydraulic analysis methods, stream geomorphologic analysis methods, water quality, best management practices and erosion and sediment control measures. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

13.20.150 Severability. SHARE SHARE

If any provision of this chapter or its application to any person or property is held invalid, the remainder of the chapter or the application of the provision to other persons or property shall not be affected. (Ord. O2016-428 § 5 (Att. C); Ord. O2011-304 § 1 (Att. A))

Chapter 13.30 WATER QUALITY

Sections:

| <u>13.30.010</u> | Purpose. |
|------------------|---|
| 13.30.020 | Discharges into waters. |
| 13.30.030 | Stormwater Pollution Prevention Manual. |
| 13.30.040 | Enforcement. |
| 13.30.050 | Hazards. |
| 13.30.060 | Criminal penalty. |
| 13.30.070 | Civil penalties for water quality. |
| 13.30.080 | Construction – Intent. |

13.30.010 Purpose. SHARE SHARE

The purpose of this chapter is to protect the City's surface and groundwater quality by providing minimum requirements for reducing and controlling the discharge of contaminants. The City council recognizes that water quality degradation can result either directly from one discharge or through the collective impact of many small discharges. Therefore, this chapter prohibits the discharge of contaminants into surface and stormwater and groundwater, and outlines preventive measures to restrict contaminants from entering such waters. These measures include the implementation of best management practices (BMPs) by the residents of the City of Sammamish.

The City council finds this chapter is necessary to protect the health, safety and welfare of the residents of Sammamish and the integrity of the City's resources for the benefit of all by: minimizing or eliminating water quality degradation; preserving and enhancing the suitability of waters for recreation, fishing, and other beneficial uses; and preserving and enhancing the aesthetic quality and biotic integrity of the water. The City council recognizes that implementation of this chapter is required under the federal Clean Water Act, 33 U.S.C. 1251 et seq. In meeting the intent of the Clean Water Act the City council also recognizes the importance of maintaining economic viability while providing necessary environmental protection and believes this chapter helps achieve both goals. (Ord. O2011-304 § 1 (Att. A))

13.30.020 Discharges into waters. SHARE SHARE

(1)(a) It is unlawful for any person to discharge any contaminants into surface and stormwater, groundwater or Puget Sound. Contaminants include, but are not limited to, the following:

| (i) Trash or debris; |
|---|
| (ii) Construction materials; |
| (iii) Petroleum products including but not limited to oil, gasoline, grease, fuel oil, heating oil; |
| (iv) Antifreeze and other automotive products; |
| (v) Metals in either particulate or dissolved form; |
| (vi) Flammable or explosive materials; |
| (vii) Radioactive material; |
| (viii) Batteries; |
| (ix) Acids, alkalis, or bases; |
| (x) Paints, stains, resins, lacquers or varnishes; |
| (xi) Degreasers and solvents; |
| (xii) Drain cleaners; |
| (xiii) Pesticides, herbicides or fertilizers; |
| (xiv) Steam cleaning wastes; |
| (xv) Soaps, detergents or ammonia; |
| (xvi) Swimming pool backwash; |
| (xvii) Chlorine, bromine and other disinfectants; |
| (xviii) Heated water; |
| (xix) Domestic animal wastes; |
| (xx) Sewage; |

| (xxi) Recreational vehicle waste; |
|--|
| (xxii) Animal carcasses; |
| (xxiii) Food wastes; |
| (xxiv) Bark and other fibrous materials; |
| (xxv) Collected lawn clippings, leaves or branches; |
| (xxvi) Silt, sediment or gravel; |
| (xxvii) Dyes, except as stated in subsection (4)(a) of this section; |
| (xxviii) Chemicals not normally found in uncontaminated water; |
| (xxix) Any hazardous material or waste not listed above. |
| (b) Illicit Connections. Any connection identified by the director that could convey anything not composed entirely of surface and stormwater directly to surface and stormwater or groundwater is considered an illicit connection and is prohibited with the following exceptions: |
| (i) Connections conveying allowable discharges; |
| (ii) Connections conveying discharges pursuant to an NPDES permit, other than an NPDES stormwater permit, or a State Waste Discharge Permit; and |
| (iii) Connections conveying effluent from on-site sewage disposal systems to subsurface soils. |
| (2) BMPs shall be applied to any business or residential activity that might result in prohibited discharges as |
| specified in the Stormwater Pollution Prevention Manual or as determined necessary by the director. Activities |
| that might result in prohibited discharges include but are not limited to the following: |
| (a) Potable water line flushing; |
| (b) Lawn watering with potable water; |
| (c) Dust control with potable water; |
| |

| | (d) Automobile and boat washing; |
|-------------------|--|
| | (e) Pavement and building washing; |
| | (f) Swimming pool and hot tub maintenance; |
| | (g) Auto repair and maintenance; |
| | (h) Building repair and maintenance; |
| | (i) Landscape maintenance; |
| | (j) Hazardous waste handling; |
| | (k) Solid and food waste handling; and |
| | (I) Application of pesticides. |
| (3) The following | ng types of discharges shall not be considered prohibited discharges for the purpose of this |
| | |
| | the director determines that the type of discharge, whether singly or in combination with other |
| | the director determines that the type of discharge, whether singly or in combination with other causing significant contamination of surface and stormwater or groundwater: |
| discharges, is o | |
| discharges, is o | causing significant contamination of surface and stormwater or groundwater: |
| discharges, is o | causing significant contamination of surface and stormwater or groundwater: (a) Spring water; |
| discharges, is o | causing significant contamination of surface and stormwater or groundwater: (a) Spring water; (b) Diverted stream flows; |
| discharges, is o | causing significant contamination of surface and stormwater or groundwater: (a) Spring water; (b) Diverted stream flows; (c) Uncontaminated water from crawl space pumps, foundation drains or footing drains; |
| discharges, is o | causing significant contamination of surface and stormwater or groundwater: (a) Spring water; (b) Diverted stream flows; (c) Uncontaminated water from crawl space pumps, foundation drains or footing drains; (d) Lawn watering with potable water or collected rainwater; |
| discharges, is o | causing significant contamination of surface and stormwater or groundwater: (a) Spring water; (b) Diverted stream flows; (c) Uncontaminated water from crawl space pumps, foundation drains or footing drains; (d) Lawn watering with potable water or collected rainwater; (e) Pumped groundwater flows that are uncontaminated; |
| discharges, is o | causing significant contamination of surface and stormwater or groundwater: (a) Spring water; (b) Diverted stream flows; (c) Uncontaminated water from crawl space pumps, foundation drains or footing drains; (d) Lawn watering with potable water or collected rainwater; (e) Pumped groundwater flows that are uncontaminated; (f) Materials placed as part of an approved habitat restoration or bank stabilization project; |

- (i) The following discharges from boats: engine exhaust; cooling waters; effluent from sinks; showers and laundry facilities; and treated sewage from Type I and Type II marine sanitation devices:
- (i) Collected rainwater that is uncontaminated;
- (k) Uncontaminated groundwater that seeps into or otherwise enters stormwater conveyance systems:
- (I) Air conditioning condensation;
- (m) Irrigation water from agricultural sources that is commingled with stormwater runoff; and
- (n) Other types of discharges as determined by the director.
- a) Diverted stream flows
- b) Rising ground waters
- c) Uncontaminated ground water infiltration other than wastewater that enters a sewer system (including sewer service connections and foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes.
- d) Uncontaminated pumped ground water
- e) Foundation drains
- f) Air conditioning condensation
- g) Irrigation water from agricultural sources that is commingled with urban stormwater
- h) Springs
- i) Uncontaminated water from crawl space pumps
- j) Footing drains
- k) Flows from riparian habitats and wetlands
- I) Non-stormwater discharges authorized by another NPDES or state waste discharge permit
- m) Discharges from emergency fire fighting activities in accordance with Washington State
 Department of Ecology NPDES Permit Authorized Discharges
- n) Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.

- Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through water conservation efforts.
- p) Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
- q) Street and sidewalk wash water, water used to control dust, and routine external building washdown that does not use detergents. These discharges shall minimize the amount of street wash and dust control water used.
- r) Other non-stormwater discharges. The discharges shall be in compliance with the requirements of a pollution prevention plan reviewed by the City, which addresses control of such discharges.
- (4)(a) Dye testing is allowable but requires verbal notification to the City at least one day prior to the date of test. The City is exempt from this requirement.
 - (b) A person does not violate subsection (1) of this section if:
 - (i) That person has properly designed, constructed, implemented and is maintaining BMPs and is carrying out AKART as required by this chapter, but contaminants continue to enter surface and stormwater or groundwater; or
 - (ii) That person can demonstrate that there are no additional contaminants being discharged from the site above the background conditions of the water entering the site.
 - (c) A person who, under subsection (4)(b) of this section, is not in violation of subsection (1) of this section is liable for any prohibited discharges through illicit connections, dumping, spills, improper maintenance of BMPs or other discharges that allow contaminants to enter surface and stormwater or groundwater.
 - (d) Emergency response activities or other actions that must be undertaken immediately or within a time too short to allow full compliance with this chapter in order to avoid an imminent threat to public health or safety shall be exempt from this section. The director by public rule may specify actions that qualify for this exception in City procedures. A person undertaking

emergency response activities shall take steps to ensure that the discharges resulting from such activities are minimized. In addition, this person shall evaluate BMPs and the site plan, where applicable, to restrict recurrence. (Ord. O2011-304 § 1 (Att. A))

13.30.030 Stormwater Pollution Prevention Manual. SHARE SHARE

- (1) Compliance with this chapter shall be achieved through the use of the best management practices described in the Stormwater Pollution Prevention Manual in effect on May 24, 2011 (effective date of the ordinance codified in this chapter). In applying the Stormwater Pollution Prevention Manual, the director shall first require the implementation of source control BMPs. If these are not sufficient to prevent contaminants from entering surface and stormwater or groundwater, the director may require implementation of treatment BMPs as set forth in AKART. The City will provide, upon reasonable request, available technical assistance materials and information, and information on outside financial assistance options to persons required to comply with this chapter.
- (2) In applying the Stormwater Pollution Prevention Manual to prohibited discharges from normal single-family residential activities, the director shall use public education and warnings as the primary method of gaining compliance with this chapter and shall not use citations, notice and orders, assessment of civil penalties and fines, or other compliance actions as authorized in SMC Title 23, unless the director determines:
 - (a) The discharge from a normal single-family residential activity, whether singly or in combination with other discharges, is causing a significant contribution of contaminants to surface and stormwater or groundwater; or
 - (b) The discharge from a normal single-family residential activity poses a hazard to the public health, safety or welfare, endangers any property or adversely affects the safety and operation of City right-of-way, utilities or other City-owned or maintained property.
- (3) Persons implementing BMPs through another federal, state or local program will not be required to implement the BMPs prescribed in the City's Stormwater Pollution Prevention Manual, unless the director determines the alternative BMPs are ineffective at reducing the discharge of contaminants. If the other program requires the development of a stormwater pollution prevention plan or other best management practices plan, the person shall make the plan available to the City upon request. Persons who qualify for exemptions include, but are not limited to, persons:

- (a) Required to obtain a general or individual NPDES permit from the Washington State Department of Ecology;
- (b) Implementing and maintaining, as scheduled, a King Conservation District-approved farm management plan;
- (c) Implementing BMPs in compliance with the management program of the City's municipal NPDES permit;
- (d) Engaged in forest practices, with the exception of forest practices occurring on lands platted after January 1, 1960, or on lands being converted to another use or when regulatory authority is otherwise provided to local government by RCW 76.09.240; or
- (e) Identified by the director as being exempt from this section. (Ord. O2011-304 § 1 (Att. A))

13.30.040 Enforcement. SHARE IS Y M...

- (1) The director is authorized to carry out enforcement actions pursuant to the enforcement and penalty provisions of SMC Title 23 and other enforcement provisions adopted by rule under the procedures of Chapter 2.55 SMC.
- (2) The director shall gain compliance with this chapter by requiring the implementation of operational and/or source control BMPs and, when necessary, AKART. Source control BMPs are in Volume IV of the *Stormwater Management Manual for Western Washington*. The director may also require maintenance of stormwater facilities which discharge into the MS4 in accordance with maintenance standards established in the Surface Water Design Manual. The director shall initially rely on education and informational assistance as much as possible to gain compliance with this chapter, unless the director determines a violation is a result of a flagrant act that should be addressed through immediate penalties or poses a hazard as defined in the hazards section (SMC 13.30.050).
- (3) The director, in consultation with other departments of the City government, shall develop and implement additional enforcement procedures. These procedures shall indicate how the City will investigate and respond to reports or instances of noncompliance with this chapter and shall identify by title the official(s) responsible for implementing the enforcement procedures.
- (4) The director is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter. Such inspections shall be made in accordance with SMC Title 23.

- (a) The director may observe best management practices or examine or sample surface and stormwater or groundwater as often as may be necessary to determine compliance with this chapter. Whenever an inspection of a property is made, the findings shall be recorded and a copy of the inspection findings shall be furnished to the owner or the person in charge of the property after the conclusion of the investigation and completion of the inspection findings.
- (b) When the director has made a determination under subsection (4)(a) of this section that any person is violating this chapter, the director may require the violator to sample and analyze any discharge, surface and stormwater, groundwater, and/or sediment, in accordance with sampling and analytical procedures or requirements determined by the director. If the violator is required to complete this sampling and analysis, a copy of the analysis shall be provided to the City of Sammamish department of public works.
- (5) In addition to any other penalty or method of enforcement, the prosecuting attorney may bring actions for injunctive or other relief to enforce this chapter. (Ord. O2011-304 § 1 (Att. A))

13.30.050 Hazards. SHARE SHARE

Whenever the director determines that any violation of this chapter poses a hazard to public health, safety, or welfare; endangers any property; or adversely affects the safety and operation of City right-of-way, utilities, and/or other property owned or maintained by the City; the person holding title to the subject property, and/or other person or agent in control of said property, upon receipt of notice in writing from the director shall within the period specified therein address the cause of the hazardous situation in conformance with the requirements of this chapter.

Notwithstanding any other provisions of this chapter, whenever it appears to the director that conditions covered by this chapter exist requiring immediate action to protect the public health and/or safety, the director is authorized to enter at all times in or upon any such property, public or private, for the purpose of inspecting and investigating such emergency conditions. The director may without prior notice order the immediate discontinuance of any activity leading to the emergency condition. Failure to comply with such order shall constitute a misdemeanor as specified in SMC Title 23. (Ord. O2011-304 § 1 (Att. A))

13.30.060 Criminal penalty. SHARE IS Y M...

Any willful violation of an order issued pursuant to SMC <u>13.30.040</u> or <u>13.30.050</u> for which a criminal penalty is not prescribed by state law is a misdemeanor. (Ord. O2011-304 § 1 (Att. A))

13.30.070 Civil penalties for water quality. SHARE IS YELL.

The enforcement provisions for water quality are intended to encourage compliance with this chapter. To achieve this, violators will be required to take corrective action and comply with the requirements of this chapter, and may be required to pay a civil penalty for the redress of ecological, recreational, and economic values lost or damaged due to their unlawful action.

- (1) The provisions in this section are in addition to and not in lieu of any other penalty, sanction or right of action provided by law.
- (2) Any person in violation of this chapter shall be subject to civil penalties assessed as follows:
 - (a) An amount reasonably determined by the director to be equivalent to the economic benefit the violator derives from the violation as measured by: the greater of the resulting increase in market value of the property or business value received by the violator, or savings of construction or retrofitting costs realized by the violator performing any act in violation of this chapter; and
 - (b) An amount, not to exceed \$25,000, that is reasonably based upon the nature and gravity of the violation and the cost to the City of enforcing this chapter against the violator.
- (3) Any person who, through an act of commission or omission, aids or abets in a violation shall be considered to have committed the violation for the purposes of the civil penalty.
- (4) Each violator is jointly and severally liable for a violation of this chapter. The director may take enforcement action, in whole or in part, against any violator. The decisions whether to take enforcement action, what type of action to take, and which person to take action against, are all entirely within the director's discretion. Factors to be used in taking such enforcement actions shall be:
 - (a) Awareness of the violation;
 - (b) Ability to correct the violation;
 - (c) Cooperation with government agencies;
 - (d) Degree of impact or potential threat to water or sediment quality, human health, or the environment.

In the event more than one person is determined to have violated the provisions of this chapter, all applicable civil penalties may be imposed against each person, and recoverable damages, costs, and expenses may be allocated among the persons on any equitable basis. Factors that may be considered in determining an equitable allocation include:

- (e) Awareness of the violation;
- (f) Ability to correct the violation;
- (g) Ability to pay damages, costs, and expenses;
- (h) Cooperation with government agencies;
- (i) Degree of impact or potential threat to water or sediment quality, human health, or the environment.
- (5) The director or the director's designee may engage in mitigation discussions with the violator. The director or the director's designee may reduce the penalties based upon one or more of the following mitigating factors:
 - (a) The person responded to City attempts to contact the person and cooperated with efforts to correct the violation:
 - (b) The person showed due diligence and/or substantial progress in correcting the violation; or
 - (c) An unknown person was the primary cause of the violation.

Payment of a monetary penalty pursuant to this chapter does not relieve the person of the duty to correct the violation. (Ord. O2011-304 § 1 (Att. A))

13.30.080 Construction – Intent. SHARE SHARE

This chapter is enacted as an exercise of the City's power to protect and preserve the public health, safety and welfare. Its provision shall be exempted from the rule of strict construction and shall be liberally construed to give full effect to the objectives and purposes for which it was enacted. This chapter is not enacted to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

The primary obligation of compliance with this chapter is placed upon the person holding title to the property.

Nothing contained in this chapter is intended to be or shall be construed to create or form a basis for liability for

the City, the department, its officers, employees or agents for any injury or damage resulting from the failure of the person holding title to the property to comply with the provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter by the City, department, its officers, employees or agents. (Ord. O2011-304 § 1 (Att. A))

Title 21A DEVELOPMENT CODE

21A.15.255 Critical drainage area. SHARE SYMM.

"Critical drainage area" means an area that requires more restrictive regulation than Citycountywide standards afford in order to mitigate severe flooding, drainage, erosion, or sedimentation problems that result from the cumulative impacts of development and urbanization. Critical drainage areas include areas that drain to Pine Lake and Beaver Lake and all landslide hazard drainage areas. (Ord. O2016-429 § 2 (Att. B); Ord. O2013-350 § 1 (Att. A); Ord. O2003-132 § 10)

CITY OF SAMMAMISH SAMMAMISH ADDENDUM TO THE 2016 KING COUNTY SURFACE WATER DESIGN MANUAL

CHAPTER 1 – Drainage Review and Requirements

- Section 1.1.1 PROJECTS REQUIRING DRAINAGE REVIEW (page 1-12 of the 2016 KCSWDM) Replace the "King County Permits and Approvals" table with the following table and adding new numbers 7 and 8.
 - 7. Projects located in landslide hazard drainage areas that will result in 500 square feet or more of new impervious surface.
 - 8. 7. Projects as listed in SMC 13.20.020.

Inglewood Historic Plat Area Drainage Code Comment Form



Tell us what you think! We welcome your input on the Inglewood Historic Plat drainage code requirements. Please leave the completed form in the box near the door.

Thank you!

| Rank the following in order of importance (1 3 Protect natural resources | = Most Important). |
|--|---|
| Protect natural resources Protect private property Increase development rights Improve permit process Decrease costs of development Other | Would you describe yourself as primarily: ☑ A property owner in the project area ☐ An interested citizen ☐ A developer |
| What do you think about the current Inglewood | od Plat Drainage Code? (Check all that |
| Adequate as is Needs limited amending Needs amending Needs substantial amending | |
| What changes do you recommend the City m (Check all that apply) Organization Language clarity about Create equity/fairness in property devel Provide additional protections to down as | elopment stream properties and natural resources such |
| Do you have any additional comments? (Use | e backside of page if needed) |
| EXISTING IMPERVIOUS SHOWLD | SA GRAWII IM PHICKEN |
| | |
| How did you hear about this public meeting? | |
| □ City of Sammamish website □ Homeowner letter | From a friend or neighborOther |
| Places include your smail to be notified of future | magtinge: LAMATRAYNU Con ext. WEL |

Inglewood Historic Plat Area Drainage Code Comment Form



Tell us what you think! We welcome your input on the Inglewood Historic Plat drainage code requirements. Please leave the completed form in the box near the door.

Thank you!

| Rank the following in order of importance (1 = N | flost Important). |
|---|---|
| Protect natural resources Protect private property Increase development rights Improve permit process Decrease costs of development Other | Would you describe yourself as primarily: ☑ A property owner in the project area ☐ An interested citizen ☐ A developer |
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| Drainage requirements. | should be done on a |
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| How did you hear about this public meeting? | |
| □ City of Sammamish website □ □ Homeowner letter □ | From a friend or neighbor Other |
| Please include your email to be notified of future me | potings: 11 rase @ Twe - com |

I own one parcel next to my home that I have paid taxes on fer several years. With the current code, my lot is worth tess. Drainage requirements need to be tormulated on a casi-by-case basis, depending on geology, etc. The 500 sq. ft rule is not equitable or fair, and deesn'd even make a lot of sense given the variability thoughout the Plat, and the fact that it is mostly developed, anyway.

Inglewood Historic Plat Area Drainage Code Comment Form



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Thank you!

| Rank the following in order of importance (1 = 1 | Most Important). |
|---|---|
| 3 Protect natural resources | |
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| Please include your email to be notified of future n | neetings: JakWeems @ yahoboom |

Inglewood Historic Plat Area Drainage Code Comment Form



Tell us what you think! We welcome your input on the Inglewood Historic Plat drainage code requirements. Please leave the completed form in the box near the door.

Thank you!

| Rank the | following in order of importance (1 | = N | lost Important). |
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If new development adds impervious surface in addition to what is already there, then the new code provisions should apply. Why? Because then they are changing the nature of the existing runoff pottern, or intensity.

I noted that the "Erosian Hazards Near Sensitive wate Bedies" map includes the relatively flat areas(±2% slope). Why? Draw the map with the real property situations shown. Some of the purple preparable have islands of white when this is done.

Inglewood Historic Plat Area Drainage Code Comment Form



Public Meeting

Tell us what you think! We welcome your input on the Inglewood Historic Plat drainage code requirements. Please leave the completed form in the box near the door.

Thank you!

| Rank the following in order of importance (1 = N Protect natural resources | vlost Important). |
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| Inglewood Historic Plat Drainage Code | May 25, 2017 |

Inglewood Historic Plat Area Drainage Code Comment Form



Tell us what you think! We welcome your input on the Inglewood Historic Plat drainage code requirements. Please leave the completed form in the box near the door.

Thank you!

| Rank the | following in order of importance (1 = I | flost Important). |
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| Do you h | ave any additional comments? (Use b | ackside of page if needed) |
| | you hear about this public meeting? E-mail City of Sammamish website | From a friend or neighbor Other |
| Please inc | clude your email to be notified of future m | eetings: E. JOHNSON 74@ FRONT/BR.COM |

[∥]/Мау 25, 2017

Inglewood Historic Plat Area Drainage Code Comment Form



Inglewood Historic Plat Drainage Code

Public Meeting

Tell us what you think! We welcome your input on the Inglewood Historic Plat drainage code requirements. Please leave the completed form in the box near the door.

Thank you!

| Rank the following in order of importance (1 = N Protect natural resources Protect private property Increase development rights Improve permit process Decrease costs of development Other | Most Important). Would you describe yourself as primarily: A property owner in the project area □ An interested citizen □ A developer | | |
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| Do you have any additional comments? (Use backside of page if needed) | | | |
| How did you hear about this public meeting? □ E-mail □ City of Sammamish website □ Homeowner letter | From a friend or neighbor Other | | |
| Please include your email to be notified of future me | eetings: <u>CANY I (a) KEEPC (AIII)</u> (2) | | |

From: jalal rokneddini <jalalrokney@yahoo.com>

Sent: Monday, May 15, 2017 8:31 PM

To: Tawni Dalziel

Subject: Inglewood Stormwater Requiements and Codes

Hello Tawni,

This is to inform you regarding a major obstacle and hardship posed by this year Inglewood Plat Area Stormwater Code Amendment.

I am a resident of Sammamish for more than a decade and have been working on a plan to add a bedroom for my daughter on my concrete impervious driveway.

Working with an architect and checking with the city of Sammamish on multiple occasions an engineer at the city counter checked the manual and informed us there would be no need for drainage review.since the addition footprint is less than 500 sq ft.

However, when ready to apply for the permit this year we were informed that due to amendments adopted by the city beginning of this year it is now necessary for a drainage review and possibly a very costly installation of drainage pipe to Inglewood municipal large drainage pipe or system.

I am asking for the city to please reconsider and modify the stormwater codes to pre-Jan. 1st, 2017 regulations not requiring a drainage review for additions of less than 500 sq ft just as it was before especially in cases such as mine where it would be constructed on an impervious or concrete driveway.

Thank you for bringing my request to the attention City of Sammamish council for their consideration.

Sincerely,

Jalal Rokneddini 1218 206th Place NE Sammamish, WA 98074

From: normcampau@aol.com

Sent: Tuesday, May 23, 2017 9:15 AM

To: Tawni Dalziel

Cc: suecampau@aol.com

Subject: Inglewood Historic Plat Area Stormwater Code Amendments - May 25 neighborhood

public meeting

1331 208th Ave NE Sammamish, WA 98074 May 23, 2017

Tawni Dalziel, P.E.

Sr. Stormwater Program Manager

City of Sammamish

Re: Inglewood Historic Plat Area Stormwater Code Amendments

Invitation to the May 25 neighborhood public meeting

Hello Tawni.

My wife and I will not be able to attend your meeting due to a prior commitment but we'd like to provide a comment to be considered during development of the stormwater code amendments.

In the complex of roads connected to 208th Avenue NE north of Inglewood Hill Road, rainwater flows freely on the road surfaces. The stormwater pipe originally installed by the developers of Shannon Wood to divert their stormwater retention pond overflow is not effective in collecting it. Short, unconnected drainage ditches in the area are also ineffective.

The largest volume contributor is the unpaved extension of 208th Avenue NE north of NE 15th St. but plenty of surface water from the dead-end streets east of the intersection flows down NE 15th St and makes the turn onto 208th Ave NE. We had to build a berm to prevent this flow from coming down our driveway and flooding our front yard.

Perhaps a series of collector berms on the NE 15th St road surface could divert much of this flow to the new stormwater collector below. It may be necessary to extend, excavate and connect the roadside ditches to keep the local surface flow volumes under control.

Thank you for your interest.

Sincerely, Norm and Sue Campau

From: erniem@marchandnorthwest.com
Sent: Friday, June 2, 2017 10:33 AM

To: Tawni Dalziel

Subject: Inglewood Hill Code Amendments

To: Tawni Dalziel, PE - City of Sammamish

From: Ernie Marchand - home/land owner - Inglewood Hills

1511 208th AVE NE Sammamish, WA 98074

Re: Additional comment re: the May 25, 2017 Inglewood Hill code amendment meeting.

Date: June 2, 2017

Dear Tawni,

Thank you for hosting the Inglewood Historic Plat Area meeting last week.

You asked for comments, etc., and by way of that form provided at the meeting, I already offered several.

However, I think the most important consideration is re: impervious surface, e.g., that under 2000 sq. ft. rule, vs. the special rule for Inglewood Hills at 500 sq. ft.

It is unfair that home and land owners in the Inglewood area are subjected to additional rules and regulations, as compared to other home and land owners in the City, especially now that the City has completed their storm water system/improvements down Inglewood Hill road.

That said, even before the 500 square foot of new improvement rule was applied to the Inglewood Hill's community (which I thought was unfair, but it was at first deemed temporary, due to some sort of "emergency"), even at the less then 2000 square foot limit, compliance with the City's zoning rules and regulations were never "easy" and the City's application and review process was able to enforce best practices, consider safety and other considerations, prior to the City granting a permit, and before their inspectors sign off on any new construction/improvements.

Therefore, I would request that the special 500 square foot rule be rescinded, and that Inglewood Hill's owners comply with those existing zoning rules and regulations that the rest of the City's home and land owners need to comply with, e.g., no additional requirements, hurdles, time, expense, etc., (which are already burdensome for individual home/land owners), as compared to the rest of the City.

Thank you again for your consideration.

Best regards, Ernie Marchand - 206-619-7910

From: marywictor@comcast.net

Sent: Thursday, May 25, 2017 11:41 AM

To: Tawni Dalziel; Cheryl Paston; Steve Leniszewski

Cc: Lyman Howard; Christie Malchow; jeffweems@yahoo.com

Subject: INPUT for THU 5/25/2017 6:00-8:00pm mtg Stormwater Code ~ Re: How O2016-417

affect owners and what can be done under new Code/Stds in Tamarack (& Inglewood)?

Dear City Stormwater Staff ~ Tawni, Cheryl, Steve cc: Lyman Howard & Councilmember Malchow & CC: JeffWeems / Inglewood resident

As you all know, I have been a resident of Tamarack since 6/2000. I cannot attend tonight, but I am interested in the City meeting THU 5/25/2017 from 6:00-8:00pm for Stormwater Code amendments for Inglewood Historic Plat area. [Also, I was present that last Monday, 5/22/2017, when Council voted/approved the Ordinance to remove the Pilot Program for erosion areas.]

For my INPUT to the meeting tonight, I am resending this email as I think these types of questions below might be worthwhile to ask and have the City followup with actual responses for Inglewood, and/or Tamarack, and/or erosion areas etc.

Probably there are other good questions too, but the Inglewood area folks started asking these types of user/owner questions, and I have added to them from all the Stormwater reading last year in 2016 and personal research I have done extensively since early 2015.

Best, Mary Wictor 425-283-7253 mobile

Re: "Common possible homeowner/developer scenarios under City Code amendment(s)/ordinances

From: "marywictor" <marywictor@comcast.net>

To: jeffweems@yahoo.com

Sent: Saturday, December 10, 2016 10:02:51 AM

Subject: Fwd: How O2016-417 affect owners and what can be done under new Code/Stds in

Tamarack (& Inglewood)?

Jeffery... here is the list of questions I have generated from reviewing documents, talking with folks, listening to input at meetings, and thinking.

Hope this might help us and you folks as the City clarifies better what might be indicated by the changes they are implementing for Stormwater.

Best, Mary Wictor 425-283-7253 mobile

From: "marywictor" <marywictor@comcast.net>

To: "Tawni Dalziel" <tdalziel@sammamish.us>, "Cheryl Paston" <cpaston@sammamish.us>, "Steve Leniszewski" <sleniszewski@sammamish.us>

Sent: Saturday, December 10, 2016 8:52:51 AM

Subject: Re: How O2016-417 affect owners and what can be done under new Code/Stds in

Tamarack (& Inglewood)?

Tawni, Cheryl, Steve:

One more point that should be covered. During the many meetings where stormwater materials and documents were presented, discussed, reviewed and received input, the <u>2000sf</u> down to <u>500sf or more</u> new <u>threshold</u> for Tamarack only had included, "<u>new</u> impervious surface". But on 10/18/2006 when the Emergency Ordinance O2016-417 was presented and approved in that same one meeting, the language matched the Inglewood restrictions including NEW, REPLACED, and/or NEW+REPLACED impervious surfaces... rather than just NEW as originally suggested.

{I believe this change might have been done since replaced imprevious surfaces can "move" the location of the impervious surface and might change the slope or grade (like relocating a porch from one side of the house to another?)--so a drainage review would be appropriate and needed?!}

However, I think it is important to hear from you as to why this change was made. Please also include how this "functionally" impacts a site in Tamarack (or Inglewood) through providing one or more examples of what this means and relating it to what folks might do.

Appreciate your guidance and leadership on helping define and educate citizens who are owners in these type of surface water ordinances.

Best regards, Mary Wictor 425-283-7253 mobile

From: "marywictor" <marywictor@comcast.net>

To: "Tawni Dalziel" <tdalziel@sammamish.us>, "Cheryl Paston" <cpaston@sammamish.us>, "Steve Leniszewski" <sleniszewski@sammamish.us>

Sent: Friday, December 9, 2016 9:21:39 PM

Subject: How O2016-417 affect owners and what can be done under new Code/Stds in Tamarack (& Inglewood)?

Dear Tawni, Cheryl, Steve:

In the packet .pdf for 12/13, the last City Council meeting for 2016 just put up on the City website today, I see the Tamarack Ordinance O2016-417 is the very last portion from pages 847-856 of 856 total pages. [I also note the meeting starts at 5:00pm vs the 6:30pm typical start time.] http://www.sammamish.us/event?id=29228

Since 12/13/16 is a Public Hearing, and 210+ lots owners in Tamarack are affected, I strongly suggest that the City write up responses to these questions and/or provide a presentation addressing these to give at the Tue 12/13/16 meeting. [Note: Inglewood residents earlier this year also had similar questions. About 500+ lot owners were and are affected by the same/similar ordinances and SMC changes.] That's > 200+500 or 700+ Lots!

<u>Please provide guidance and implications for these questions a potential buyer or present home or lot/parcel owner might ask:</u>

[Note: Text description for Bill #46 uses 500sf rather than the written/codified threshold is "500 sqft or more" (>= 500SF) of impervious.]

Questions: Maintenance/Repair followed by Additions/Remodeling:

{No affect if work to be done creates or affects 499SF or less of impervious surface (new, replaced, or new+replaced?)}:

- 1) If the roof is need of repair or replacement, can I re-roof? Do I need a permit to do this, or will it trigger a drainage review or new SW stds?
- 2) Can I fix my driveway that may include concrete and/or asphalt and change it to asphalt or stamped concrete for example?
- 3) By how much can I replace my existing driveway (e.g., dig down to bare soil or below to deal with tree roots perhaps), expand a porch, or increase the roadway width before triggering a drainage review or new SW standards? How about decks (not covered and covered)?
- 4) If the home burns down, can I rebuild it under existing/new codes, again without much ado? (would rebuilding it somehow end up smaller/lessor due to new code/stds?) [Note: insurance policies can include full-replacement value or "rebuild the same" as prior, even if over the value insured.]
- 5) I want to remodel my existing home, without changing the footprint. Suspect a building permit will be needed? ... will it trigger a drainage review or other new Surface/Stormwater standards? (Note: perhaps a home on septic can build an addition as long as bathrooms/bedrooms are not added?)
- 6) If I remodel my house to do an addition, what size addition triggers a drainage review? Triggers new SW standards?
- 7) New Code/ordinance seems unfair if a small improvement (affordable addition) is treated the same as a big new house for drainage review.
- 8) What level of drainage review might be reqjuired for a remodeling project? Will it include only the new work, or also the existing house/structures... and the whole lot?
- 9) Shed and foundations for sheds?[Detached Additional Dwelling Units (DADU) are not permitted per old/original Tamarack Protective Covenants.]
- 10) Portions of Tamarack are not in a Landslide Hazard Area nor are they in a "drains to"... such as south/west end of 208th Ave NE. So not all lots in Tamarack ultimately drain over Landslide Hazard Areas or Landslide Hazard Drainage Areas.
- 11) Can work or a project be split into steps/phases and done over time to keep each portion under 500SF impervious surface (see below 12/5/2016 Stephanie Sullivan response which she emailed me when I had asked staged/phased or multi-part projects at the City Hall counter last week.)
- 12) Concern for additional costs and economic feasibility of additions/remodel. Geo Tech reports cost what typically? (\$3,000-7,000?!)

It is likely to possibly rephrase these questions/concerns, or group/regroup them. Maybe some key questions have been missed as well. Many Tamarack homes are smaller, older, and owners must be able to maintain them well and update/remodel them as applicable. If basic maintenance cannot be done with the new code/ordinance, then some sort of exemptions will be needed. However, from what I know, understand, and have heard/asked to date... I believe maintenance of roofs, roads, and driveways can be done in Tamarack (and Inglewood too, presumeably.)

Best wishes, Mary Wictor 425-283-7253 mobile

425-836-9819 home/office

For info about 11) ... see email below

From: "Stephanie Sullivan" <SSullivan@sammamish.us>

To: "marywictor" <marywictor@comcast.net> **Sent:** Monday, December 5, 2016 8:32:33 AM

Subject: Impervious Surface Question at the Counter today

Mary,

Thank you for your questions regarding impervious surface and when drainage review is triggered in Tamarack with the new emergency ordinance in place. You mentioned you were unable to find a copy of the ordinance online (they are working on getting it up, there was a delay with the website update), so I attached it for your reference.

As discussed, roof maintenance would not trigger drainage review as long as it does not create new or replace existing impervious surface based on the definitions we reviewed in SMC.13.

The last question we left unanswered was whether two permits in close succession, each under 500 sf would trigger drainage review. The first permit, if under the 500 sf threshold would not trigger drainage review per SMC.13. The second permit if under 500 sf would also not trigger review based on a strict interpretation of the code. This would not be able to be used as a strategy, however, because if during review it is identified that there are multiple projects on the same property that together would trigger drainage review, the entire amount of new and replaced impervious surface would need to be reflected on both permits in order to satisfy the drainage requirements. So, I think the permits can be applied for separately (e.g. a phased project), but for drainage purposes all impervious surfaces proposed on the project would be reviewed to ensure compliance with the requirements. For example, on a phased project the site plan would show each phase and give a summary of all impervious surfaces (existing, replaced, and new). Beyond drainage requirements, regarding phased permitting you should consult the permit center if this is something you are interested in pursuing.

[Stephanie originally was going to look to see if there was a minimum timeframe that needs to pass for projects to be distinct/different. That was not answered herein.]

Regards,

Stephanie Sullivan, EIT

Development Review Engineer | City of Sammamish

425-295-0560 | ssullivan@sammamish.us | http://www.sammamish.us

From: Jeffrey Weems < JeffWeems@Yahoo.com>

Sent: Friday, June 2, 2017 1:25 PM

To: JeffWeems@Yahoo.com; Tawni Dalziel

Subject: RE: Just a quick comment about the presentation at the Inglewood meeting.

Couple corrections below. Please Ignore the previous email on this.

From: Jeffrey Weems [mailto:JeffWeems@Yahoo.com]

Sent: Friday, June 2, 2017 1:15 PM

To: 'Tawni Dalziel' <tdalziel@sammamish.us> **Cc:** 'Jeffrey Weems' <JeffWeems@Yahoo.com>

Subject: Just a quick comment about the presentation at the Inglewood meeting.

I didn't want to interrupt you at the time.

but on slide 4

"Parcels very small, ave _sf".

This is something that has been repeated/inherited since Eric LaFrance's unfortunate presentations/efforts in 2014.

Yes the "lots" in the plat are small (25 x 100 feet), but since the average "parcel" size is 3.x lots, thus over 7500 sqft, And many parcels are 10,000 sf and larger. The small "lots" are irrelevant the houses are constructed on Parcels not Lots.

Inglewood Parcels are LARGER than the parcels in nearly all of the new subdivisions in the City. Our group requests that general claims that Inglewood Parcels/lots are "small" be banished from future presentations/documents since it is simply not the case. Thoughts?